

Journal of the House

NINETIETH GENERAL ASSEMBLY
of the
STATE OF MISSOURI
SECOND REGULAR SESSION

FIRST DAY, WEDNESDAY, JANUARY 5, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God and Creator:

We bow now as Your children, and pray together for the leaders of our nation and our state. Strengthen these men and women of the House with courage and sensitivity. They are sincere men and women and they want to do what is right, make that which is right plain to them.

Start them out on the right way in this new session.

Help them to be examples to our state of justice and fair play.

Let no personal ambition blind them to the opportunities to do right.

Help them to have a divine common sense and to think of service, and not of gain, as they chart the course of leadership in law.

And to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Sean Michael Foley.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 157

Abel
Barnett

Alter
Barry 100

Auer
Bartelsmeyer

Backer
Bartle

Ballard
Bennett

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Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Richardson	Ridgeway	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Stokan	Summers
Surface	Thompson 72	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 002

Lograsso Reynolds

ABSENT WITH LEAVE: 004

Akin Kasten Robirds Thompson 37

COMMUNICATION FROM THE SECRETARY OF STATE

To the Honorable House of Representatives of the 90th General Assembly, Second Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri 1994, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 90th General Assembly (Second Regular Session) of the State of Missouri, elected at the General Election held on the 3rd day of November, 1998, and at special elections held during 1999.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 3rd day of January, 2000.

/s/ Rebecca McDowell Cook
SECRETARY OF STATE

MISSOURI HOUSE OF REPRESENTATIVES
90th General Assembly, Second Regular Session

District	Name
1st	Sam Berkowitz
2nd	Don Summers
3rd	David G. Klindt
4th	Rex Barnett
5th	Dan Hegeman
6th	Randall H. Relford
7th	Jewell Patek
8th	Gary Wiggins
9th	Sam D. Leake
10th	Robert Clayton
11th	Phil Smith
12th	Bill Luetkenhaus
13th	Jon Dolan
14th	Cindy Ostmann
15th	Jon L. Bennett
16th	Rich Chrismer
17th	Don R. Kissell
18th	Chuck Gross
19th	Charles F. Nordwald
20th	Gracia Yancey Backer
21st	Ted Farnen
22nd	Steve Gaw
23rd	Timothy Harlan
24th	Chuck Graham
25th	Vicky Riback Wilson
26th	Jim Seigfreid
27th	Glenda Kelly
28th	Charlie Shields
29th	Maurice Lawson
30th	Fred Pouche
31st	Bill Skaggs
32nd	Susan Phillips*
33rd	Scott Lakin
34th	Annie Reinhart
35th	Luann Ridgeway
36th	Rodger L. Fitzwater
37th	Vernon Thompson
38th	Tim Van Zandt
39th	Marsha Campbell
40th	Henry C. Rizzo
41st	Melba Curls**
42nd	Yvonne S. Wilson***
43rd	Terry Riley****
44th	Steve McLuckie
45th	Bill Tudor
46th	Thomas J. Hoppe
47th	Pat Kelley
48th	Bill Boucher

49th	Ralph A. Monaco
50th	Carol Jean Mays
51st	Dennis Bonner
52nd	Connie Cierpiot
53rd	Richard (Dick) Franklin
54th	Don Lograsso
55th	Carson Ross
56th	Matt Bartle
57th	O. L. Shelton
58th	Louis H. Ford
59th	Ron Auer
60th	Amber (Holly) Boykins
61st	Paula J. Carter
62nd	Charles Quincy Troupe
63rd	Doratheia Davis
64th	Robert (Bob) Hilgemann
65th	Derio Gambaro
66th	Harry Kennedy
67th	Patrick Dougherty
68th	James P. O'Toole
69th	Dana L. Murray
70th	Russell C. Gunn
71st	Rita D. Days
72nd	Betty L. Thompson
73rd	Timothy P. Green
74th	Thomas (Tom) George
75th	Mary M. Hagan-Harrell
76th	Lana Ladd Stokan
77th	David L. Reynolds
78th	Michael J. Reid
79th	Patrick J. O'Connor
80th	John J. Hickey
81st	James Michael Foley
82nd	David L. Levin
83rd	Barbara Fraser
84th	Joan Bray
85th	Christopher A. (Chris) Liese
86th	Todd Akin
87th	Catherine L. Hanaway
88th	John Loudon
89th	William (Bill) Linton
90th	Bill Alter
91st	Emmy McClelland
92nd	Brent Evans
93rd	Patricia (Pat) Secrest
94th	Michael R. Gibbons
95th	Jim Murphy
96th	Joseph L. Treadway
97th	Carl H. Hendrickson
98th	May Scheve
99th	Catherine S. Enz
100th	Joan Barry
101st	Kate Hollingsworth
102nd	Ryan Glennon McKenna

103rd	Mark C. Abel
104th	Wes Wagner
105th	Harold R. Selby
106th	James E. (Jim) Graham
107th	Dan Ward
108th	Brian May
109th	John E. Griesheimer
110th	Francis Overschmidt
111th	Jim Froelker
112th	Merrill Townley
113th	W. W. (Bill) Gratz
114th	Carl M. Vogel
115th	Blaine Luetkemeyer
116th	Chuck Pryor
117th	Larry Crawford
118th	Matt Boatright
119th	Delbert L. Scott
120th	Jim Howerton
121st	Deleta Williams
122nd	D. J. Davis
123rd	Ed Hartzler
124th	Vicky Hartzler
125th	Jerry R. King
126th	Martin (Bubs) Hohulin
127th	T. Mark Elliott
128th	Gary Burton
129th	Chuck Surface
130th	Gary Marble
131st	Sam Gaskill
132nd	Linda Bartelsmeyer
133rd	Ronnie Miller
134th	Norma Champion
135th	Roy W. Holand
136th	Mike Schilling
137th	Mark Wright
138th	Craig Hosmer
139th	Matt Blunt
140th	Charlie Ballard
141st	Judy Berkstresser
142nd	Jim Kreider
143rd	Estel Boyd Robirds
144th	Mary Lou Sallee
145th	Ken Legan
146th	Beth Long
147th	Mark Hampton
148th	Bill L. Ransdall
149th	Jerry E. McBride
150th	Kelly Parker
151st	Chuck Purgason
152nd	Wayne Crump
153rd	Don Koller
154th	Mark L. Richardson
155th	Patrick Naeger
156th	Bill I. Foster

157th	David Schwab
158th	Mary C. Kasten
159th	Marilyn Taylor Williams
160th	Peter Myers
161st	Lanie Black
162nd	Denny J. Merideth, III
163rd	Phillip Britt

* Elected August 3, 1999, to fill vacancy created by resignation of Bonnie Sue Cooper

** Elected August 3, 1999, to fill vacancy created by death of Fletcher Daniels

*** Elected August 3, 1999, to fill vacancy created by resignation of Lloyd Daniel

**** Elected April 6, 1999, to fill vacancy created by resignation of Mary Groves Bland

RESOLUTIONS

Representative Crump offered House Resolution No. 1.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninetieth General Assembly, Second Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

On motion of Representative Crump, Rule 63 was suspended and House Resolution No. 1 was adopted by the following vote:

AYES: 158

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan

Summers	Surface	Thompson 72	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Kasten	Kissell	Luetkenhaus	Robirds	Thompson 37
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Representative Crump offered House Resolution No. 2.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninetieth General Assembly, Second Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crump, Rule 63 was suspended and House Resolution No. 2 was adopted by the following vote:

AYES: 159

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Stokan	Summers	Surface	Thompson 72	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Hohulin Kasten Robirds Thompson 37

HOUSE COURTESY RESOLUTION OFFERED AND ISSUED

House Resolution No. 3 - Representative Gaw

Speaker Pro Tem Kreider assumed the Chair.

HOUSE CONCURRENT RESOLUTIONS

Representative Crump offered House Concurrent Resolution No. 1.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninetieth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Tuesday, January 11, 2000, to receive a message from His Honor William Ray Price, Jr., the Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninetieth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of this resolution.

On motion of Representative Crump, Rule 63 was suspended and House Concurrent Resolution No. 1 was adopted by the following vote:

AYES: 160

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy

Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Stokan	Summers	Surface	Thompson 72
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Kasten	Robirds	Thompson 37
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Representative Crump offered House Concurrent Resolution No. 2.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninetieth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 19, 2000, to receive a message from His Excellency, the Honorable Mel Carnahan, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninetieth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crump, Rule 63 was suspended and House Concurrent Resolution No. 2 was adopted by the following vote:

AYES: 160

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy

Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Stokan	Summers	Surface	Thompson 72
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Kasten Robirds Thompson 37

Speaker Gaw resumed the Chair.

SPEAKER ADDRESSES THE HOUSE

It is with hope for our promising future, and acknowledgment of our rich history, that we face the challenges of a new century and millennium.

As we pause a moment to look back over the last 1000 years we are reminded of the amazing amount of change our world has undergone.

We have seen the notion of our world change – from flat to spherical.

Diseases which ravaged families – the black plague, polio, small pox – have been brought closer to extinction.

Our forms of communication have changed from the simple state of talking and letters to the complex methods of video conferencing and email.

Our methods of transportation have evolved from ships with oars and sails exploring new frontiers of earth...
...to ships with rockets exploring new frontiers in the stars.

Through all of our remarkable technological advancement we have witnessed unbelievable sacrifices, courage, idealism and vision.

Time and again we have been witness to humankind's inspiring ability to rise to the challenge...

...to persevere, to overcome and excel in even the most difficult situations.

As a wise and famous preacher from the south named King once said,

"The ultimate measure of a man is not where he stands in moments of comfort, but where he stands at times of challenge and controversy."

It is during these times of great challenge when we have the opportunity to rise to the greatest heights possible.

Challenge and the responding human ingenuity and burning desire to succeed have given rise to some of our greatest accomplishments.

In addition to the amazing technological advancements, America's ability to rise to the challenge has given birth to...

...noble concepts like freedom and equality...

...guiding documents such as our Declaration of Independence and Constitution...

...and the greatest nation this world has ever known.

But even as we have met the greatest challenges when we are at our best...

...so too have we experienced humanity at its worst.

We need only look back for a moment to be reminded of the times our ability to meet the challenge has wavered.

...events such as the Holocaust...

...institutions like slavery...

...and countless wars...

...all are testimony to the fact that we as a people sometimes fall to the lowest depths just as we can ascend to the greatest heights.

Yet, as we look back over the last 1000 years, more often than not we have risen to the challenge and overcome adversity.

It is with great pride that I congratulate this body for its ability to successfully meet many of the challenges we have faced in the last few years.

Whether the challenge we faced was in reforming this House in bringing state government closer to the people...

...in providing Missouri families with Internet audio access so they might listen in on the debates on the House floor and the decisions that affect their lives...

...in creating a website that places a wealth of information at the fingertips of Missourians...

Or whether it was in creating a truly bipartisan ethics committee to help ensure this body is accountable to our citizens...

You have demonstrated the ability to rise to a challenge.

And just as you have improved the workings of this body, so too have you improved the conditions for Missouri's working families.

Today we can proudly say that we live in a state where our economy is booming...

...where we have cut taxes for working families three years in a row...

...where unemployment rates are near record lows...

...where our inflation rate continues to be below the national average...

...where new and expanding businesses find opportunities to flourish...

...and where crime rates are down.

Over the last few years we have time and again risen to the challenge of helping Missouri families.

We have created legislation that ensures our state will be a better place for the generations to come...

...the Outstanding Schools Act...

...A+ Schools...

...eliminating the state sales tax on food...

...property tax relief for seniors...

...welfare reform...

...Family Development Accounts...

...ending court-ordered desegregation...

...Advantage Missouri and increased access to higher education...

...Health Insurance for Children of Working Families...

...Safe Schools Act...

...Family Care Safety Act...

...workers' compensation reform...

...truth in sentencing...

Your efforts have a distinct and profound impact on the working families of this state.

Last year, this House continued the work of improving our educational system — putting more emphasis on the basics, fully funding our school foundation formula and increasing the accountability of our schools.

We faced the challenge of cutting taxes for working families, senior citizens and small businesses...

...and we succeeded...

...marking our third year in a row of tax cuts totaling nearly \$700 million, coupled with nearly \$870 million in refund checks to Missourians.

And we undertook the challenge of preserving an important part of a way of life in Missouri - our family farms...
...reaffirming our commitment not just to the farm but to the family that lives on that farm.

In 2000, our challenges are as great and perhaps greater.
Through hard work on interim committees you have already begun the effort.
In this new century with the accelerated role of technology, education will be vital to the success of our children.

We must provide the best possible educational opportunities for their future.
Last year's "Read to be Ready" legislation increased our emphasis on the basic idea of teaching our children how to read.

Statistics on reading abilities in the early grades- shows 7 out of 10 third graders not reading proficiently...
...coupled with stories of social promotion...
...gave us cause for action.

This year I ask you to accept the challenge of helping our young people by funding the Read to be Ready program so that we bring the basics back to education and accountability to the schools for the results they produce.

We should not be satisfied until the quality of our schools matches the quality of our children.

This nation stands today as the hallmark of freedom and opportunity.

It is there in great part because of the sacrifices and contributions of a group of people Tom Brokaw calls the "Greatest Generation."

With their courage, determination and sacrifice they defended not only this nation but restored freedom to much of the world...

...defeating perhaps the greatest evil of this century.

We owe them more than we can ever repay.

Let us make sure that our seniors that so desire have the opportunity to stay in their homes as long as they are able...

...and that they have safe and healthful places to live.

We must make sure that the way we treat seniors reflects the debt we owe them.

And let us crack down on those who defraud Missouri consumers, especially our seniors, through telemarketing fraud and financial exploitation.

Obtaining affordable health care coverage continues to be a substantial challenge for many of our families.
Missouri has been at the forefront of reforms in health care ...

...we are one of three states to have passed a comprehensive patients' bill of rights.

...and we have passed legislation providing better access to affordable health insurance for children of working families.

For the last two years, this House has passed legislation to ensure access to affordable health insurance for small businesses and family farmers in Missouri.

But for two years in a row, that legislation has died before reaching the governor's desk.

2000 must be the year when all hardworking families in this state finally have access to affordable health insurance coverage.

We also have worked very hard the last few years to keep criminals off of our streets...

...cracking down on meth dealers...

...toughening our sentencing laws...

...and creating the most comprehensive laws in the nation against sexual predators.

Now, amidst all the wonderful opportunities provided by new technology, we must also acknowledge the opportunities it provides for new abuses.

We must keep in mind that many of our laws were drafted before the Internet was even a dream.

In many cases, this means our citizens may not be protected from crimes committed on the Internet.

These abuses...

...the sale of alcohol to minors...

...terrifying school children with threats of violence...

...and child pornography occurring over the Internet...

...should give us cause for action.

We can change this and we must do it this year.

So too we should work to ensure that the private affairs of our citizens, such as medical and financial records, remain private.

Today, many of those records are accessible over the Internet, and in some cases for sale.

Expanding information technology should not include forfeiting our right to have private information kept private.

This session, we have an opportunity to address an issue that will impact us for generations.

The tobacco settlement could result in \$6.7 billion dollars over the next 25 years.

The possibilities exist for something which has produced sickness to produce health.

I believe we should guarantee first that any proceeds received are placed in trust and not co-mingled and lost in general revenue.

I ask that you consider dedicating some of these funds to prevent the future occurrences of illnesses through tobacco prevention, education and cessation programs...

...that a portion be invested in health care and healthy children...

...and that we also set aside some part for a rainy day.

And let what we ultimately propose be put forth to the people of this state for their approval.

This session we continue to find our family farms in crisis.

Last year's efforts to save the family farm must not cease.

This year we need to see that the markets are not closed to them.

In this time of mergers, consolidations and vertical integration, let us be sure there is still a place for the family farmer.

Today, as has been the case throughout our history, we are challenged with violence in our families.

We know of its cyclical nature and of its victims - spouses, seniors and children.

Last session we made strides in our pursuit of safer families with the passage of the Family Care Safety Act.

But during this past year we continued to hear horrific stories of the consequences of abuse in our state, including the deaths of two young children in Kansas City.

We should make every effort to provide help to families in trouble in this state before the tragedies occur.

Recently, the news has been dominated by stories about the tragic violence by and against our children.

Missouri has been at the forefront in passing Safe Schools legislation and juvenile justice reforms.

But we are not immune from the tragedies that have occurred in other states.

We should continue our efforts to ensure our schools are safe places for our children.

One hundred years ago, being able to travel safely for business and pleasure was important.

Today it is vital.

We have a transportation system which is not adequate for our needs now, let alone in the days ahead.

There have been plenty of people focusing on the past and pointing fingers at who is to blame.

Let us put these things behind us.

It is now time for us to look to the future and accept the challenge of finding solutions to address the problem.

There are those who would say that this session is too difficult to be successful...
...that the challenge of an election year is too great...
...that partisanship will prevail.
Some would say we should just stay home.

But what would the consequences have been if Lewis and Clark had just stayed home?
...if Lincoln had just stayed home...
...if Neal Armstrong had just stayed home...
...if Rosa Parks had just stayed home.
...if the "Greatest Generation" this nation has ever seen had just stayed home?

We have too much to do.
We have too much at stake for the working families of this state.
We cannot afford to just stay home.

As we move into the new millennium, let us resolve to continue to work together...
...to put the welfare of the people first, ahead of partisanship and self-interest...
...building and improving on the great foundation of freedom and opportunity we have been so graciously
given...
...so that our descendants are as proud of our sacrifices as we are of those who have come before us.

I believe that in the end we will succeed, not because we should, but because we must.
We have challenges to meet...
...we have work to do...
Let us get to it.

Thank you.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has offered and adopted the following resolution:

Senate Resolution No. 1002

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the Second Regular Session of the Ninetieth General Assembly is duly convened and is now in session and ready for consideration of business.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 39, introduced by Representative Reynolds, relating to the prohibition of public aid for religious purposes and institutions.

HJR 40, introduced by Representative Gross, relating to compensation of state elected officials.

HJR 41, introduced by Representatives Seigfreid, Gaw, Klindt and Berkowitz, relating to powers and duties of the state highways and transportation commission.

HJR 42, introduced by Representatives Williams (121), Backer, Gaw, Kreider, Fraser, Hollingsworth, Riback Wilson (25), Gunn, Harlan, Thompson (72), Graham (24), Carter, McLuckie, Fitzwater, Britt, Scheve, Ford, Smith, O'Connor, Crump, Farnen, Hosmer, Campbell, Davis (122),

Skaggs, Dougherty, Murray, Mays (50), Kelly (27), Shelton, Hilgemann, Ostmann, Kennedy, McKenna, Ward, Boucher, Hagan-Harrell, Franklin, Ladd Stokan, Gambaro, Clayton, Hickey, Seigfreid, Lakin, Bray, Days, Davis (63), Leake, Relford, Curls, Wilson (42), Selby, Schilling, Foley and Van Zandt, to ratify a proposed amendment to the Constitution of the United States.

HJR 43, introduced by Representatives Barry, Bonner, Fitzwater, Campbell, Fraser, Kreider, Curls and Graham (24), et al, relating to school district bond elections.

HJR 44, introduced by Representative Hosmer, relating to education.

HJR 45, introduced by Representative Scheve, relating to bingo.

HJR 46, introduced by Representative Bartle, relating to changing the number of members of the general assembly.

HJR 47, introduced by Representative Linton, relating to the state board of education.

HJR 48, introduced by Representative Chrismer, relating to taxation.

HJR 49, introduced by Representative Chrismer, relating to real property.

HJR 50, introduced by Representative Wright, relating to taxation of property.

HJR 51, introduced by Representatives Clayton and Gaw, relating to criminal prosecutions.

HJR 52, introduced by Representative Hanaway, relating to the tobacco settlement trust fund.

HJR 53, introduced by Representatives Mays (50) and Burton, relating to utility taxation.

HJR 54, introduced by Representative Blunt, relating to funds received through certain legal settlements.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1066, introduced by Representatives Riback Wilson (25), Bray, Thompson (72), Backer, Dougherty, Selby and Merideth, et al, relating to earned income tax credit.

HB 1067, introduced by Representative Reynolds, relating to overtime compensation of employees.

HB 1068, introduced by Representative Reynolds, relating to the state fair commission.

HB 1069, introduced by Representative Gross, relating to income taxation.

HB 1070, introduced by Representatives Relford and Kissell, relating to wages for certain peace officers.

HB 1071, introduced by Representative Relford, relating to public intoxication.

HB 1072, introduced by Representatives Relford, Hegeman, Gratz and Klindt, et al, relating to a regional jail district tax jail.

HB 1073, introduced by Representatives Relford, Fitzwater and Seigfried, et al, relating to teacher certification.

HB 1074, introduced by Representatives Relford, Wiggins and Seigfreid, et al, relating to water pollution.

HB 1075, introduced by Representatives Relford, Fitzwater and Seigfreid, et al, relating to textbooks.

HB 1076, introduced by Representative Relford, relating to peer promotion of pupils.

HB 1077, introduced by Representative Relford, relating to peripheral zoning for certain cities.

HB 1078, introduced by Representatives Relford and Ransdall, et al, relating to motor vehicle license plates.

HB 1079, introduced by Representative Gross, relating to motor vehicle records.

HB 1080, introduced by Representative Gross, relating to the felony limit for certain crimes.

HB 1081, introduced by Representative Hoppe, relating to liquor licenses.

HB 1082, introduced by Representative Crump, relating to consent of the state to the acquisition of land by the federal government.

HB 1083, introduced by Representatives Fraser and Levin, relating to a safety course and auto insurance premium discounts for persons fifty-five years of age and older.

HB 1084, introduced by Representatives Graham (24) and Schilling, relating to county recorders of deeds.

HB 1085, introduced by Representative Selby, relating to standards for mental health facilities.

HB 1086, introduced by Representative Scheve, relating to protective services for the elderly.

HB 1087, introduced by Representative Scheve, relating to income taxation.

HB 1088, introduced by Representative Scheve, relating to the assessment of real property.

HB 1089, introduced by Representative Scheve, relating to organ donation.

HB 1090, introduced by Representatives Scheve and Smith, relating to health insurance.

HB 1091, introduced by Representative Scheve, relating to licensed gaming activities.

HB 1092, introduced by Representative Scheve, relating to the regulation of raffles and sweepstakes.

HB 1093, introduced by Representative Scheve, relating to a Boy Scouts of America license plate.

HB 1094, introduced by Representatives Gross and Ostmann, relating to state aid to junior college districts.

HB 1095, introduced by Representative Richardson, relating to travel expenses for assessors in certain counties.

HB 1096, introduced by Representatives Seigfreid, Gaw, Klindt and Berkowitz, relating to the state highways and transportation commission.

HB 1097, introduced by Representative Hosmer, relating to trespass.

HB 1098, introduced by Representative Hosmer, relating to dissolution of marriage.

HB 1099, introduced by Representative Hosmer, relating to unlawful merchandising practice.

HB 1100, introduced by Representative Hosmer, relating to small claims court.

HB 1126, introduced by Representative Hosmer, relating to drug regulations.

HB 1127, introduced by Representative Bonner, relating to drivers' licenses.

HB 1128, introduced by Representative Schilling, relating to the sale of motor vehicles.

HB 1129, introduced by Representative Schilling, relating to jury service.

HB 1130, introduced by Representative Schilling, relating to children in jails.

HB 1131, introduced by Representative Schilling, relating to animals restrained from running at large.

HB 1132, introduced by Representative Patek, relating to agricultural tax relief.

HB 1133, introduced by Representative Barry, et al, relating to health insurance.

HB 1134, introduced by Representatives Relford, Fitzwater, Davis (122) and Seigfreid, relating to alternative education services.

HB 1135, introduced by Representatives Ward and Selby, relating to fire protection.

HB 1136, introduced by Representative Ward, relating to Medicaid coverage.

HB 1137, introduced by Representative Ward, relating to motorcycle safety.

HB 1138, introduced by Representative Ward, relating to the number of associate circuit judges.

HB 1139, introduced by Representatives Ward and Selby, relating to the gaming commission fund.

HB 1140, introduced by Representative Ward, relating to modifications to federal adjusted gross income.

HB 1141, introduced by Representative Ward, relating to tax credits for child care.

HB 1142, introduced by Representatives Ransdall, Hampton, Leake and Wiggins, relating to traffic regulations.

HB 1143, introduced by Representatives Scheve and McClelland, relating to the creation of the senior environmental corps.

HB 1144, introduced by Representatives Scheve and McClelland, relating to merchandising practices for certain home improvement loans.

HB 1145, introduced by Representative Ward, relating to drivers' licenses.

HB 1146, introduced by Representative Bonner, relating to offenses against the family.

HB 1147, introduced by Representatives Graham (24), Boucher, Reynolds, George and Selby, et al, relating to motor vehicle license plates.

HB 1148, introduced by Representative Ridgeway, relating to the expungement of certain records of insurance agents from department files.

HB 1149, introduced by Representative Troupe, relating to health care services.

HB 1150, introduced by Representative Troupe, relating to health insurance.

HB 1151, introduced by Representative Troupe, relating to the department of corrections.

HB 1152, introduced by Representative Troupe, relating to criminal assault.

HB 1153, introduced by Representative Troupe, relating to contributions by the state for the detention of juveniles.

HB 1154, introduced by Representative Boucher, et al, relating to special education services.

HB 1155, introduced by Representative Boucher, et al, relating to public intoxication.

HB 1156, introduced by Representatives Boucher and Kreider, et al, relating to property taxation.

HB 1157, introduced by Representatives Boucher, Gaw and Kreider, et al, relating to veterans' affairs.

HB 1158, introduced by Representative Boucher, et al, relating to tax relief.

HB 1159, introduced by Representative Boucher, et al, relating to income taxation.

HB 1160, introduced by Representative Gross, relating to volunteers' liability.

HB 1161, introduced by Representative Hosmer, relating to certain licensed professionals who are in default on student loans.

HB 1162, introduced by Representative Burton, relating to miscellaneous powers of political subdivisions.

HB 1163, introduced by Representative Gross, relating to gambling boats.

HB 1164, introduced by Representative Foley, et al, relating to restitution to victims of the Nazi holocaust.

HB 1166, introduced by Representatives Seigfreid and Patek, relating to the organization of seven-director school boards.

HB 1167, introduced by Representative Ransdall, relating to taxation of pensions.

HB 1168, introduced by Representatives Crawford and Reinhart, relating to selling a child.

HB 1169, introduced by Representative Gross, relating to sexual offenses.

HB 1170, introduced by Representative Smith, relating to license plates.

HB 1171, introduced by Representative Smith, relating to directors of state-chartered banks.

HB 1172, introduced by Representatives Davis (122), Selby and Relford, et al, relating to telemarketing practices.

HB 1173, introduced by Representative Wagner, relating to the tobacco settlement trust fund.

HB 1174, introduced by Representative Gross, relating to tax relief.

HB 1175, introduced by Representative Gross, relating to property taxes.

HB 1176, introduced by Representative Gross, relating to property taxation.

HB 1177, introduced by Representative Alter, relating to merchandising practices.

HB 1178, introduced by Representative Graham (24), for the purpose of enacting the dedication to donation act.

HB 1179, introduced by Representatives Hosmer and McClelland, relating to higher education.

HB 1180, introduced by Representative Backer, relating to the Shriners license plate.

HB 1181, introduced by Representative Bartle, for the purpose of repealing provisions of law declared to be unconstitutional.

HB 1182, introduced by Representative Bartle, for the purpose of repealing expired provisions of law.

HB 1183, introduced by Representatives Days and Shelton, et al, relating to noncertificated school employees.

HB 1184, introduced by Representative Campbell, relating to cellular or mobile telephone use.

HB 1185, introduced by Representatives Gratz and Vogel, to authorize the governor to convey certain property to the City of Jefferson.

HB 1186, introduced by Representatives Gratz and Vogel, to authorize the governor to convey certain property in Cole County which is part of the correctional facility known as the Church Farm.

HB 1187, introduced by Representatives Gratz and Vogel, relating to marriage.

HB 1188, introduced by Representative Wright, relating to failing to stop on signal of the patrol.

HB 1189, introduced by Representative Gibbons, relating to corporation franchise tax.

HB 1190, introduced by Representative Linton, relating to the power of local school boards to allow posting of certain historical documents regardless of religious content.

HB 1191, introduced by Representative Linton, relating to pupils and special services.

HB 1192, introduced by Representative Linton, relating to certain public school records.

HB 1193, introduced by Representatives Ransdall and Relford, relating to motor vehicle license plates.

HB 1194, introduced by Representative Ladd Stokan, relating to a Distinguished Flying Cross license plate.

HB 1195, introduced by Representatives Ladd Stokan and Abel, relating to single use medical devices.

HB 1196, introduced by Representative Hosmer, relating to the general assembly's preemption in the field of taxation of cigarettes and tobacco products.

HB 1197, introduced by Representative Hosmer, relating to tuberculosis.

HB 1198, introduced by Representatives Scheve and Carter, relating to noncompetition clauses for broadcasting industry employees.

HB 1199, introduced by Representative Hosmer, relating to a University of Missouri program which assists organ transplant patients.

HB 1200, introduced by Representatives Dougherty and Harlan, relating to genetic information and testing for insurance purposes.

HB 1201, introduced by Representatives Dougherty and Thompson (72), relating to health insurance.

HB 1202, introduced by Representative Dougherty, relating to public assistance.

HB 1203, introduced by Representative Dougherty, relating to salary schedules for public school teachers.

HB 1204, introduced by Representative Bartle, relating to academic assessments.

HB 1205, introduced by Representative Bartle, relating to assessed valuation for state aid purposes.

HB 1206, introduced by Representatives Troupe, Boucher and Farnen, et al, relating to the office of corrections ombudsman.

HB 1207, introduced by Representatives Troupe and Relford, et al, relating to offender sexual abuse.

HB 1208, introduced by Representative Fitzwater, relating to the removal of a guardian or conservator.

HB 1209, introduced by Representative Patek, relating to contributions for a veteran memorial.

HB 1210, introduced by Representative Surface, relating to an Elks Lodge license plate.

HB 1211, introduced by Representative Gross, relating to license plates for the physically disabled.

HB 1212, introduced by Representatives Chrismer and Pryor, et al, relating to sale of fetal body parts.

HB 1213, introduced by Representatives Chrismer and Pryor, et al, relating to the public display of the Ten Commandments.

HB 1214, introduced by Representative Chrismer, relating to property assessment.

HB 1215, introduced by Representatives Smith, Gaw, Britt, Relford, Berkowitz, Kennedy, et al, relating to computer crime.

HB 1216, introduced by Representatives Kelly (27) and Riback Wilson (25), relating to adoption records.

HB 1217, introduced by Representative Dougherty, relating to the business dropout abatement program.

HB 1218, introduced by Representative Dougherty, relating to a state vehicle fleet manager.

HB 1219, introduced by Representatives Kennedy and Hilgemann, relating to a St. Louis college of Pharmacy special license plate.

HB 1220, introduced by Representatives May (108) and Wagner, relating to weapons offenses.

HB 1221, introduced by Representatives McClelland and Hosmer, relating to educational instruction.

HB 1222, introduced by Representatives May (108), O'Toole and Luetkenhaus, relating to the registration of certain offenders.

HB 1223, introduced by Representatives Hartzler (124) and Wiggins, relating to farm machinery inventory repurchase.

HB 1224, introduced by Representatives Schilling and Murray, et al, relating to teachers.

HB 1225, introduced by Representatives Schilling, Williams (121), Troupe and Riback Wilson (25), et al, relating to murder.

HB 1226, introduced by Representatives Schilling and Riback Wilson (25), for the purpose of repealing the death penalty.

HB 1227, introduced by Representative Schilling, et al, relating to retail energy customer and worker protection.

HB 1228, introduced by Representative Surface, relating to window tinting of motor vehicles.

HB 1229, introduced by Representatives Luetkemeyer and Pryor, et al, relating to recall of elected officials in certain counties.

HB 1230, introduced by Representative Long, relating to enforcement of support law.

HB 1231, introduced by Representative Long, relating to property taxation.

HB 1232, introduced by Representative Ostmann, et al, relating to criminal invasion of privacy.

HB 1233, introduced by Representative Ostmann, et al, relating to punishment of juveniles.

HB 1234, introduced by Representatives Ostmann and Williams (121), et al, relating to female

genital mutilation.

HB 1235, introduced by Representative Ostmann, et al, relating to traffic regulations.

HB 1236, introduced by Representative Ostmann, et al, relating to persistent and prior intoxicated driving offenders.

HB 1237, introduced by Representatives Days, Selby, Riback Wilson (25), Bray, Dougherty, Fraser, Graham (24) and Shelton, et al, relating to certain health care benefits.

HB 1238, introduced by Representatives Hoppe, Van Zandt, Campbell and McLuckie, et al, relating to property ownership.

HB 1239, introduced by Representatives May (108) and O'Toole, relating to HIV testing.

HB 1240, introduced by Representatives May (108), Luetkenhaus and O'Toole, relating to indecent solicitation of a child.

HB 1241, introduced by Representative Treadway, relating to tattoo licensing.

HB 1242, introduced by Representative Treadway, relating to the administrative hearing commission.

HB 1243, introduced by Representative Wright, relating to pardons by the governor.

HB 1244, introduced by Representative Wright, relating to income taxation.

HB 1245, introduced by Representative Wright, relating to health care benefits and providers.

HB 1246, introduced by Representative Wright, relating to the reduction of individual income tax rates for Missouri residents.

HB 1248, introduced by Representative Lakin, relating to excursion gambling boats.

HB 1249, introduced by Representative Hickey, et al, relating to state building contracts.

HB 1250, introduced by Representative Kissell, relating to seat belts.

HB 1251, introduced by Representative Kissell, relating to amateur radio license plates.

HB 1252, introduced by Representative Kissell, relating to motor vehicles.

HB 1253, introduced by Representative Kissell, relating to the regulation and licensing of the practice of naturopathic medicine.

HB 1254, introduced by Representative Kissell, relating to the regulation and licensing of certain professions.

HB 1255, introduced by Representative Troupe, relating to qualification and election of school board members in cities not within a county.

HB 1256, introduced by Representative Troupe, relating to insurance coverage for diabetes.

HB 1257, introduced by Representative Bartle, relating to funds for public school capital projects.

HB 1258, introduced by Representatives Lograsso, Howerton, Naeger, Ridgeway and Lawson, et al, relating to motor vehicles.

HB 1259, introduced by Representatives Ridgeway, Naeger, Secrest, Gross and Bartelsmeyer, et al, relating to the definition of the term owner for purposes of workers' compensation coverage pertaining to written lease-purchase agreements.

HB 1260, introduced by Representative Rizzo, relating to children.

HB 1261, introduced by Representatives Kissell, Dolan, Ostmann and Gross, relating to deductions for state school aid over payments.

HB 1262, introduced by Representative Kissell, et al, relating to confinement of persons without process.

HB 1263, introduced by Representative Hanaway, relating to certain special elections.

HB 1264, introduced by Representative Hanaway, relating to attorney general.

HB 1265, introduced by Representatives Clayton and Leake, et al, relating to the public school

retirement system.

HB 1266, introduced by Representative Treadway, relating to chiropractors.

HB 1267, introduced by Representatives Holand and Davis (122), relating to school district tax surcharges.

HB 1268, introduced by Representatives Holand and Davis (122), relating to alternative education programs.

HB 1269, introduced by Representatives Chrismer and Pryor, et al, relating to the allowance of personal reflection or meditation time in school.

HB 1270, introduced by Representative Chrismer, relating to financially stressed school districts.

HB 1271, introduced by Representative Chrismer, et al, relating to veterans' affairs.

HB 1272, introduced by Representative Chrismer, et al, relating to income taxation.

HB 1273, introduced by Representative Chrismer, et al, relating to veterans affairs.

HB 1274, introduced by Representative Chrismer, et al, relating to income taxation.

HB 1275, introduced by Representative Chrismer, et al, relating to the display of the POW/MIA flag.

HB 1276, introduced by Representatives Thompson (72), Carter, Wilson (42), Boykins, Gunn, Curls and Days, et al, relating to compensation for wrongful imprisonment.

HB 1277, introduced by Representative Thompson (72), relating to income tax credits for gifts of personal property to persons with an income below the federal poverty level.

HB 1278, introduced by Representative Thompson (72), relating to traffic violation records.

HB 1279, introduced by Representatives Thompson (72) and Gunn, relating to truancy.

HB 1280, introduced by Representatives Clayton, May (108), Richardson and Gaw, relating to tort victims' compensation fund.

HB 1281, introduced by Representative Boucher, relating to telecommunications for persons with disabilities.

HB 1282, introduced by Representative Troupe, relating to offender autopsies.

HB 1283, introduced by Representative Troupe, relating to pharmacies.

HB 1284, introduced by Representative Kissell, relating to ambulance district board members.

HB 1285, introduced by Representative Marble, relating to registration and licensing of motor vehicles.

HB 1286, introduced by Representatives Gross, Bennett and Kissell, et al, relating to the Missouri - St. Louis Metropolitan Airport Authority.

HB 1287, introduced by Representative Reynolds, relating to the licensing of tanning bed operators.

HB 1288, introduced by Representative Scott, relating to condemnation proceedings.

HB 1289, introduced by Representative Auer, relating to law enforcement agency accident reports.

HB 1290, introduced by Representative Auer, relating to transportation sales taxation.

HB 1291, introduced by Representative Auer, relating to denturists.

HB 1292, introduced by Representative Auer, relating to health insurance.

HB 1293, introduced by Representatives Linton and Holand, relating to informed consent for mental health treatment.

HB 1294, introduced by Representatives Gunn and Relford, relating to expungement of certain criminal records.

HB 1295, introduced by Representative Gunn, et al, relating to sales and use taxation.

HB 1296, introduced by Representative Hanaway, relating to income taxation.

HB 1297, introduced by Representative Hanaway, relating to income tax.

HB 1298, introduced by Representative Hanaway, relating to property taxation.

- HB 1299**, introduced by Representative Hanaway, relating to tax credits for donations to scholarship charities.
- HB 1300**, introduced by Representative Hanaway, relating to the tort victims' compensation fund.
- HB 1301**, introduced by Representative Hanaway, relating to sales taxation.
- HB 1302**, introduced by Representative Hanaway, relating to income taxation.
- HB 1303**, introduced by Representative Kissell, relating to annexation powers of certain cities.
- HB 1304**, introduced by Representative Boucher, et al, relating to veterans' affairs.
- HB 1305**, introduced by Representative Rizzo, relating to rehabilitation of abandoned properties by certain organizations.
- HB 1306**, introduced by Representative Rizzo, relating to registration renewal tabs.
- HB 1307**, introduced by Representatives Rizzo, Campbell, Curls, Lograsso, Ross, McLuckie, Hoppe, Tudor and Reinhart, et al, relating to dumping and littering ordinances for certain cities.
- HB 1308**, introduced by Representative Boucher, et al, relating to drug regulations.
- HB 1309**, introduced by Representative Dougherty, relating to exceptions to licensure requirements for certain child care facilities.
- HB 1310**, introduced by Representative Dougherty, relating to child impact statements.
- HB 1311**, introduced by Representative Dougherty, relating to dissolution of marriage.
- HB 1312**, introduced by Representative Dougherty, relating to police pensions.
- HB 1313**, introduced by Representative Luetkemeyer, et al, relating to a mandatory assembly for veterans' day.
- HB 1314**, introduced by Representative Hoppe, relating to food, drugs and tobacco.
- HB 1315**, introduced by Representative Dougherty, relating to motor vehicles.
- HB 1316**, introduced by Representative Dougherty, relating to tax relief.
- HB 1317**, introduced by Representative Backer, et al, relating to an income tax credit for dentists who provide dental services to persons receiving Medicaid.
- HB 1318**, introduced by Representative Patek, relating to sheltered workshops.
- HB 1319**, introduced by Representative Patek, relating to the department of health.
- HB 1320**, introduced by Representative Patek, relating to hunting permits.
- HB 1321**, introduced by Representatives Relford, Crump, Seigfreid, Gratz, Graham (106), Kreider and Gaw, et al, for the purpose of enacting the Interstate Compact for Adult Offender Supervision.
- HB 1322**, introduced by Representative Hartzler (124), et al, relating to the operation of motor vehicles and public safety.
- HB 1323**, introduced by Representative Pryor, et al, relating to sheltered workshops.
- HB 1324**, introduced by Representative Green, relating to licensing of child care homes.
- HB 1325**, introduced by Representatives Mays (50) and Burton, relating to utility taxation.
- HB 1326**, introduced by Representative Mays (50), relating to penalties for violation of public service commission orders.
- HB 1327**, introduced by Representative Dougherty, relating to mandatory training in conflict resolution and anger management for undergraduate education students.
- HB 1328**, introduced by Representative Kreider, relating to sales taxation.
- HB 1329**, introduced by Representatives Auer, Dougherty, Troupe, Hilgemann and Murphy, relating to sales and use tax.
- HB 1330**, introduced by Representatives Auer and Leake, relating to tax increment financing.
- HB 1331**, introduced by Representative Patek, relating to agricultural tax relief.
- HB 1332**, introduced by Representative Patek, relating to restitution to victims of the Nazi holocaust.

HB 1333, introduced by Representative Abel, relating to sales tax on motor vehicles.
HB 1334, introduced by Representative Dougherty, relating to statute of limitations.
HB 1335, introduced by Representatives Scheve and Hilgemann, relating to the hiring of law enforcement officers by private colleges and universities.
HB 1336, introduced by Representative Lakin, relating to funding for department of health programs.
HB 1337, introduced by Representative Schilling, relating to eluding a law enforcement officer.
HB 1338, introduced by Representative Auer, relating to land conservation and development in certain metropolitan areas.
HB 1339, introduced by Representative Gratz, relating to the appointment and qualification of members of the highways and transportation commission.
HB 1340, introduced by Representative Klindt, relating to hotel and motel taxation in certain cities.
HB 1341, introduced by Representative Hanaway, relating to income tax.
HB 1342, introduced by Representatives Holand and Hampton, relating to restitution for the illegal taking of deer.
HB 1343, introduced by Representative Green, relating to taxpayer's rights.
HB 1344, introduced by Representative Rizzo, relating to self-service storage facilities.
HB 1345, introduced by Representative Skaggs, relating to capital improvement reserve funds in third class cities.
HB 1346, introduced by Representatives Hosmer and Schilling, relating to real property.
HB 1347, introduced by Representatives Hosmer, Legan, Barnett and Schilling, relating to motor vehicles.
HB 1348, introduced by Representative Blunt, relating to campaign finance.
HB 1349, introduced by Representative Blunt, relating to votes taken at meetings of public governmental bodies.
HB 1350, introduced by Representative Blunt, relating to absentee voter eligibility.
HB 1351, introduced by Representatives Blunt and Wright, relating to the display of the POW/MIA flag.

COMMITTEE CHANGES

The Speaker submitted the following committee changes:

Representative Foley is no longer a member of the Critical Issues Committee.
Representative Riley is no longer a member of the Children, Youth and Families Committee.
Representative Williams (159) is no longer a member of the Governmental Organization and Review Committee.
Representative Ward is no longer a member of the Civil and Administrative Law Committee.
Representative Schilling is no longer a member of the Education - Higher Committee.
Representative Schilling is no longer Vice Chair but remains a member of the Appropriations - Health and Mental Health Committee.
Representative McLuckie is no longer a member of the Budget Committee.
Representative McLuckie is no longer a member of the Missouri Tobacco Settlement Committee.
Representative Wilson (42) has been appointed a member of the Children, Youth and Families,

Education - Higher, Consumer Protection and Housing, and Critical Issues Committees.

Representative Curls has been appointed a member of the Commerce, Public Health, Governmental Organization and Review, and Civil and Administrative Law Committees.

Representative Riley has been appointed a member of the Appropriations - Natural and Economic Resources Committee.

Representative Riback Wilson (25) has been appointed Vice Chair of the Appropriations - Health and Mental Health Committee.

Representative McLuckie has been appointed a member of the Education - Higher Committee.

Representative Wright has been appointed a member of the Banks and Financial Institutions Committee.

Representative Reinhart has been appointed a member of the Budget Committee.

Representative Phillips has been appointed a member of the Appropriations - Natural and Economic Resources, Commerce, Local Government and Related Matters, Children, Youth and Families, and Urban Affairs Committees.

Representative Boykins has been appointed a member of the Appropriations - Natural and Economic Resources Committee.

Representative Wilson (42) has been appointed a member of the Appropriations - Education and Public Safety Committee.

Representative Curls has been appointed a member of the Appropriations - Health and Mental Health Committee.

Representative McLuckie has been appointed Chair of the Joint Committee on Economic Development, Policy and Planning.

Representative Van Zandt has been appointed Chair of the Missouri Tobacco Settlement Committee.

Representative Thompson (72) has been appointed Vice Chair of the Tourism, Recreation and Cultural Affairs Committee.

WITHDRAWAL OF HOUSE BILLS

December 10, 1999

Anne Walker, Chief Clerk
State Capitol Building
Room 306-C
Jefferson City, MO 65101

Dear Ms. Walker,

I respectfully want to withdraw **House Bill 1165**. Thank you for your assistance and if you have any questions please contact my office.

Yours truly,

/s/ Michael R. Gibbons

TO: Anne Walker, Chief Clerk
FROM: Representative Chuck Graham
DATE: January 4, 2000
RE: House Bill 1247

I respectfully request that you withdraw **HB 1247**.

January 5, 2000

Anne C. Walker
Chief Clerk - House Administrator
Capitol Building - 306 C
Jefferson City, MO 65101

Dear Chief Clerk:

I respectfully request the withdrawal of **House Bill 1297**.

Sincerely,

/s/ Catherine L. Hanaway
Representative - District 87

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, January 6, 2000.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH AND MENTAL HEALTH
Monday, January 10, 2000, 9:00 am. Hearing Room 6. Dept. of Mental Health
public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH
Tuesday, January 11, 2000. Hearing Room 6 upon adjournment. Dept. of
Mental Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH
Wednesday, January 12, 2000. Hearing Room 6 upon adjournment. Dept. of
Mental Health budget.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH
Thursday, January 13, 2000. Hearing Room 6. Time to be announced if
necessary. Dept. of Mental Health - tentative.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH
Monday, January 17, 2000, 9:00 am. Hearing Room 6. Dept. of Health public
testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 18, 2000. Hearing Room 6 upon adjournment. Dept.of Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 19, 2000. Hearing Room 6 upon adjournment. Dept.of Health budget.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 20, 2000. Hearing Room 6 upon adjournment. Wrap up.

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 11, 2000, 3:00 pm. Hearing Room 3. Reorganizational meeting.

INTERIM JOINT COMMITTEE ON ASSET FORFEITURES

Monday, January 10, 2000, 2:30 pm. Senate Lounge.

HOUSE CALENDAR

SECOND DAY, THURSDAY, JANUARY 6, 2000

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 39 through HJR 54

HOUSE BILLS FOR SECOND READING

HB 1066 through HB 1100

HB 1126 through HB 1164

HB 1166 through HB 1246

HB 1248 through HB 1296

HB 1298 through HB 1351

HOUSE JOURNAL

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SECOND DAY, THURSDAY, JANUARY 6, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Lord of all, we pray for this land and for our state.

We need Your help. In Your providence this nation was founded.

Men and women of faith have passed on to us the great heritage of belief.

Bless all in this House as they work to strengthen the heritage of righteousness and justice that binds us together.

We pray for those whose needs are great. And now remember Representative Estel Robirds as he recovers from surgery, and for Representative Mary Kasten's husband, Mel, as he recovers.

And to You be glory and power. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the first day was approved as corrected by the following vote:

AYES: 156

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann

Overschmidt	Parker	Patek	Phillips	Pouche
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Skaggs	Smith	Stokan	Summers
Surface	Thompson 72	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 003

Gross	Hanaway	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 004

Kasten	Robirds	Shelton	Thompson 37
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RESOLUTION

Representative Vogel offered House Resolution No. 4.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 5	-	Representative McClelland
House Resolution No. 6	-	Representative King
House Resolution No. 7	-	Representative Clayton
House Resolution No. 8	-	Representative Gibbons
House Resolution No. 9	-	Representative Chrismer
House Resolution No. 10	-	Representative McClelland
House Resolution No. 11	-	Representative Bartelsmeyer
House Resolution No. 12	-	Representative Bartle

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 39 through **HJR 54** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1066 through **HB 1100**, **HB 1126** through **HB 1164**, **HB 1166** through **HB 1246**, **HB 1248** through **HB 1296**, and **HB 1298** through **HB 1351** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 39 - Education - Elementary and Secondary
HJR 40 - Fiscal Review
HJR 41 - Transportation

HJR 42 - Critical Issues
HJR 43 - Education - Elementary and Secondary
HJR 45 - Miscellaneous Bills and Resolutions
HJR 46 - Elections
HJR 47 - Education - Elementary and Secondary
HJR 48 - Ways and Means
HJR 49 - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1066 - Ways and Means
HB 1067 - Labor
HB 1068 - Agriculture
HB 1069 - Ways and Means
HB 1070 - Local Government and Related Matters
HB 1071 - Criminal Law
HB 1072 - Correctional and State Institutions
HB 1073 - Education - Elementary and Secondary
HB 1074 - Fiscal Review
HB 1075 - Education - Elementary and Secondary
HB 1076 - Education - Elementary and Secondary
HB 1077 - Local Government and Related Matters
HB 1078 - Motor Vehicle and Traffic Regulations
HB 1079 - Civil and Administrative Law
HB 1080 - Criminal Law
HB 1081 - Local Government and Related Matters
HB 1082 - Federal-State Relations and Veterans Affairs
HB 1083 - Insurance
HB 1085 - Public Health
HB 1086 - Critical Issues
HB 1087 - Ways and Means
HB 1089 - Education - Elementary and Secondary
HB 1091 - Miscellaneous Bills and Resolutions
HB 1092 - Miscellaneous Bills and Resolutions
HB 1093 - Motor Vehicle and Traffic Regulations
HB 1094 - Education - Higher
HB 1095 - Local Government and Related Matters
HB 1096 - Transportation
HB 1097 - Civil and Administrative Law
HB 1098 - Civil and Administrative Law
HB 1099 - Civil and Administrative Law
HB 1100 - Judiciary
HB 1126 - Criminal Law

HB 1127 - Motor Vehicle and Traffic Regulations
HB 1128 - Motor Vehicle and Traffic Regulations
HB 1129 - Judiciary
HB 1130 - Children, Youth and Families
HB 1131 - Local Government and Related Matters
HB 1133 - Insurance
HB 1134 - Education - Elementary and Secondary
HB 1135 - Local Government and Related Matters
HB 1136 - Social Services, Medicaid and the Elderly
HB 1137 - Transportation
HB 1138 - Judiciary
HB 1139 - Federal-State Relations and Veterans Affairs
HB 1140 - Ways and Means
HB 1141 - Ways and Means
HB 1142 - Agriculture
HB 1143 - Environment and Energy
HB 1144 - Consumer Protection and Housing
HB 1145 - Motor Vehicle and Traffic Regulations
HB 1146 - Criminal Law
HB 1147 - Motor Vehicle and Traffic Regulations
HB 1148 - Insurance
HB 1149 - Critical Issues
HB 1151 - Correctional and State Institutions
HB 1152 - Criminal Law
HB 1153 - Civil and Administrative Law
HB 1154 - Education - Elementary and Secondary
HB 1155 - Criminal Law
HB 1156 - Ways and Means
HB 1157 - Federal-State Relations and Veterans Affairs
HB 1158 - Ways and Means
HB 1159 - Ways and Means
HB 1160 - Judiciary
HB 1161 - Education - Higher
HB 1162 - Utilities Regulation
HB 1163 - Children, Youth and Families
HB 1166 - Education - Elementary and Secondary
HB 1167 - Ways and Means
HB 1168 - Critical Issues
HB 1169 - Criminal Law
HB 1170 - Motor Vehicle and Traffic Regulations
HB 1171 - Banks and Financial Institutions
HB 1172 - Consumer Protection and Housing
HB 1173 - Missouri Tobacco Settlement
HB 1174 - Ways and Means
HB 1176 - Ways and Means

HB 1177 - Consumer Protection and Housing
HB 1178 - Public Health
HB 1179 - Education - Higher
HB 1180 - Motor Vehicle and Traffic Regulations
HB 1181 - Judiciary
HB 1182 - Judiciary
HB 1183 - Education - Elementary and Secondary
HB 1184 - Motor Vehicle and Traffic Regulations
HB 1185 - Correctional and State Institutions
HB 1186 - Correctional and State Institutions
HB 1187 - Children, Youth and Families
HB 1188 - Criminal Law
HB 1189 - Ways and Means
HB 1190 - Education - Elementary and Secondary
HB 1191 - Education - Elementary and Secondary
HB 1192 - Civil and Administrative Law
HB 1193 - Motor Vehicle and Traffic Regulations
HB 1194 - Motor Vehicle and Traffic Regulations
HB 1195 - Public Health
HB 1196 - Local Government and Related Matters
HB 1197 - Public Health
HB 1198 - Civil and Administrative Law
HB 1199 - Public Health

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 3, introduced by Representative Gross, requesting the Department of Elementary and Secondary Education to incorporate the Lewis and Clark Expedition into school curricula through 2007.

HCR 4, introduced by Representatives Kennedy and Thompson (72), to create a Joint Interim Committee of the General Assembly composed of five members of the House of Representatives and five members of the Senate.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 55, introduced by Representative Graham (24), relating to taxation.

HJR 56, introduced by Representative Scott, et al, relating to the governor's powers.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

- HB 1352**, introduced by Representative Auer, relating to valuation of life insurance policies.
- HB 1353**, introduced by Representative Farnen, relating to coroners' test results.
- HB 1354**, introduced by Representative Ladd Stokan, relating to the shared care program.
- HB 1355**, introduced by Representatives Skaggs and Ross, relating to limited liability companies.
- HB 1356**, introduced by Representatives Skaggs and Smith, et al, relating to judicial retirement.
- HB 1357**, introduced by Representatives Bonner and Rizzo, et al, relating to the collection of sales tax revenue on behalf of certain sports authorities.
- HB 1358**, introduced by Representative Loudon, relating to venue in criminal credit card fraud cases.
- HB 1359**, introduced by Representative Loudon, relating to the school foundation formula.
- HB 1360**, introduced by Representative Froelker, relating to collection of property taxes.
- HB 1361**, introduced by Representatives Fitzwater, Davis (122), McLuckie, Relford, Berkowitz, McClelland and Lakin, et al, for the purpose of harmonizing and eliminating duplicative and obsolete education provisions.
- HB 1362**, introduced by Representatives Harlan, Treadway, Gaw, Foley, Crump, Dougherty, Froelker, Backer, Leake, Dolan, Levin, Shields, et al, relating to health insurance.
- HB 1363**, introduced by Representative Bray, et al, relating to transportation services.
- HB 1364**, introduced by Representative Hosmer, relating to the licensing of motor vehicle dealers.
- HB 1365**, introduced by Representatives Hosmer and Blunt, relating to military scholarships.
- HB 1366**, introduced by Representative Kissell, relating to telemarketing practices.
- HB 1367**, introduced by Representative Clayton, relating to transfer or enact two hundred sixty-four sections in compliance with the directives of senate bill no. 869 of the second regular session of the eighty-eighth general assembly, 1996.
- HB 1368**, introduced by Representative Clayton, relating to session laws.
- HB 1369**, introduced by Representative Bray, relating to certain rights and obligations of employers and employees in causes of action for wrongful discharge.
- HB 1370**, introduced by Representative Bray, relating to designation of scenic byways.
- HB 1371**, introduced by Representative Bray, relating to tax relief for assistance and care for the disabled.
- HB 1372**, introduced by Representative Hosmer, relating to taxation of cigarettes.
- HB 1373**, introduced by Representatives Chrismer and Kennedy, et al, relating to the pilot project scholarship program.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

WITHDRAWAL OF HOUSE BILLS

January 6, 2000

Ms. Anne Walker, Chief Clerk
House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Ms. Walker:

I respectfully request that **HB 1099** be withdrawn. Thank you for your attention to this matter.

Cordially,

/s/ W. Craig Hosmer
State Representative
District 138

January 5, 2000

The Honorable Steve Gaw, Speaker
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1345** be withdrawn.

Thank you for your attention in this request.

Sincerely,

/s/ Bill Skaggs

The following member's presence was noted: Shelton.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, January 10, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, First Day, Wednesday, January 5, 2000, page 14, line 35, by deleting said line, and inserting in lieu thereof the following:

HJR 40, introduced by Representative Graham (24), relating to compensation of state elected officials.

Pages 1 and 2, roll call, by showing Representative Akin voting "aye" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representatives Kissell and Luetkenhaus voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Wednesday, January 12, 2000, 3:00 pm. Hearing Room 7.
Informational meeting.

AGRICULTURE

Wednesday, January 12, 2000, 3:00 pm. Hearing Room 7.
Informational meeting.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, January 11, 2000, 12:00 pm. Hearing Room 1.
Organizational meeting. Highway Patrol presentation on pay issues.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 11, 2000. Hearing Room 7 upon morning adjournment.
Organizational meeting. Presentation on SAM II/BRASS

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, January 10, 2000, 9:00 am. Hearing Room 6.
Dept. of Mental Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 11, 2000. Hearing Room 6 upon adjournment.
Dept. of Mental Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 12, 2000. Hearing Room 6 upon adjournment.
Dept. of Mental Health budget.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 13, 2000. Hearing Room 6.
Time to be announced if necessary. Dept. of Mental Health - tentative.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, January 17, 2000, 9:00 am. Hearing Room 6.
Dept. of Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 18, 2000. Hearing Room 6 upon adjournment.

Dept.of Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 19, 2000. Hearing Room 6 upon adjournment.

Dept.of Health budget.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 20, 2000. Hearing Room 6 upon adjournment. Wrap up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 11, 2000. Hearing Room 5 upon adjournment.

SAM II presentation.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 12, 2000. Hearing Room 5 upon adjournment.

Dept. of Agriculture.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 11, 2000. Hearing Room 3 upon adjournment.

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 11, 2000, 3:00 pm. Hearing Room 3.

Reorganizational meeting.

EDUCATION - HIGHER

Wednesday, January 12, 2000, 3:00 pm. Hearing Room 5.

Organizational meeting.

INTERIM JOINT COMMITTEE ON ASSET FORFEITURES

Monday, January 10, 2000, 2:30 pm. Senate Lounge.

INTERIM JOINT COMMITTEE ON IMMIGRATION

Tuesday, January 11, 2000, 3:00 pm. Senate Committee Room 1.

Discussion of committee report. Possible executive session.

HOUSE CALENDAR

THIRD DAY, MONDAY, JANUARY 10, 2000

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 3 and HCR 4

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 55 and HJR 56

HOUSE BILLS FOR SECOND READING

HB 1352 through HB 1366

HB 1368 through HB 1373

HOUSE BILL FOR SECOND READING - REVISION

HB 1367

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRD DAY, MONDAY, JANUARY 10, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, we pray that the people of Missouri who have made such progress in material things, may now seek to grow in the things of the heart, soul and spirit. We have improved means, but not improved ends... Help these men and women, and bless them as they exercise leadership in our state.

To You be glory and honor, forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Molly Obermark and Nathan Obermark.

The Journal of the second day was approved as printed by the following vote:

AYES: 153

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Stokan	Summers	Surface	Thompson 72

Townley
Wagner
Wilson 25

Treadway
Ward
Wilson 42

Tudor
Wiggins
Mr. Speaker

Van Zandt
Williams 121

Vogel
Williams 159

NOES: 001

Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Dolan
Robirds

Ford
Smith

Hoppe
Thompson 37

Kasten
Troupe

Nordwald

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 13 - Representative Williams (121)
House Resolution No. 14 - Representative Griesheimer
House Resolution No. 15 - Representative Gaw
House Resolution No. 16 - Representative Liese
House Resolution No. 17 - Representative Relford
House Resolution No. 18 - Representative Williams (121)
House Resolution No. 19 - Representative Ladd Stokan
House Resolution No. 20 - Representative Green
House Resolution No. 21 - Representative Relford
House Resolution No. 22 - Representative Green

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3 and **HCR 4** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 55 and **HJR 56** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1352 through **HB 1366**, and **HB 1368** through **HB 1373** were read the second time.

SECOND READING OF HOUSE BILL - REVISION

HB 1367 was read the second time.

ESCORT COMMITTEE

The following committee was appointed to escort the Chief Justice of the Supreme Court of the State of Missouri, The Honorable William Ray Price, Jr., to the dais in Joint Session at 10:30 a.m., Tuesday, January 11, 2000: Representatives Harlan, Hosmer, Monaco, Graham (24), Clayton, Curls, Lograsso, Sallee, Hanaway, Gibbons and Ridgeway.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1374, introduced by Representatives Graham (24) and Riback Wilson (25), relating to funding for domestic violence shelters.

HB 1375, introduced by Representative Patek, relating to filing fees for not-for-profit corporations.

HB 1376, introduced by Representative Farnen, relating to inspection of state institutions.

HB 1377, introduced by Representative Green, relating to civil damages for child labor law violations.

HB 1378, introduced by Representative Kissell, relating to filing false information.

HB 1379, introduced by Representative Hollingsworth, relating to registration of students.

HB 1380, introduced by Representative Pouche, relating to assessment of real and personal property taxes.

HB 1381, introduced by Representative Pouche, relating to pawnbrokers.

HB 1382, introduced by Representative Pouche, relating to pawnbrokers.

COMMITTEE CHANGES

The Speaker submitted the following committee changes:

Representative Carter is no longer a member of the Commerce Committee.

Representative Smith is no longer a member of the Appropriations - Health and Mental Health Committee.

Representative Parker is no longer Vice-Chair but remains a member of the Public Safety and Law Enforcement Committee.

Representative McLuckie is no longer a member of the Appropriations - General Administration Committee.

Representative McLuckie has been appointed a member of the Appropriations - Health and Mental Health Committee.

Representative Selby has been appointed a member of the Appropriations - General Administration Committee.

Representative Britt has been appointed Vice-Chair of the Public Safety and Law Enforcement Committee.

Representative Riback Wilson (25) has been appointed a member of the Budget Committee.

Representative Seigfreid has been appointed Vice-Chair of the Appropriations - General Administration Committee.

WITHDRAWAL OF HOUSE BILL

January 7, 2000

The Honorable Steve Gaw
Speaker of the House
State Capitol
Jefferson City, MO 65101

Dear Representative Gaw,

I respectfully request that **HB 1132** - regarding raising tax credit availability for new generation cooperatives to thirty million dollars be WITHDRAWN. This no. is 2361L.021. So that it is not confusing I have filed another bill that is 2361L.03I relating to the same matter.

Thank you for your attention and if you have any questions, please don't hesitate to call.

Sincerely,

/s/ Jewell D. H. Patek

The following member's presence was noted: Ford.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, January 11, 2000.

COMMITTEE MEETINGS

AGRI-BUSINESS

Wednesday, January 12, 2000, 3:00 pm. Hearing Room 7.
Informational meeting.

AGRICULTURE

Wednesday, January 12, 2000, 3:00 pm. Hearing Room 7.
Informational meeting.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, January 11, 2000, 12:00 pm. Hearing Room 1. Organizational meeting. Highway Patrol presentation on pay issues. SAM II/BRASS.
AMENDED NOTICE

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 11, 2000. Hearing Room 7 upon morning adjournment.
Organizational meeting. Presentation on SAM II/BRASS. CANCELLED.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 12, 2000. Hearing Room 7 upon morning adjournment.
Organizational meeting. Presentation on SAM II/BRASS.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 11, 2000. Hearing Room 6 upon adjournment until 4:30pm.
Dept. of Mental Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 12, 2000. Hearing Room 6 upon adjournment.
Dept. of Mental Health budget.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 13, 2000. Hearing Room 6. Upon adjournment until 3:00pm.
Dept. of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, January 17, 2000, 9:00 am. Hearing Room 6.
Dept. of Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 18, 2000. Hearing Room 6 upon adjournment.
Dept. of Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 19, 2000. Hearing Room 6 upon adjournment.
Dept. of Health budget.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 20, 2000. Hearing Room 6 upon adjournment. Wrap up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 11, 2000. Hearing Room 5 upon adjournment.
SAM II presentation.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 12, 2000. Hearing Room 5 upon adjournment.
Dept. of Agriculture.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 11, 2000. Hearing Room 3 upon adjournment.
Organizational meeting.

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 12, 2000, 7:30 pm. Hearing Rm. 6. Orientation, Planning session, Presentation from Kids Count, Dept. of Health, Dept. of Soc. Services.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 12, 2000, 3:00 pm. Hearing Room 1.
To be considered - HB 1097, HB 1098, HB 1153, HB 1198

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 11, 2000, 3:00 pm. Hearing Room 3.
Reorganizational meeting.

EDUCATION - HIGHER

Wednesday, January 12, 2000, 3:00 pm. Hearing Room 5.
Organizational meeting.

INTERIM JOINT COMMITTEE ON IMMIGRATION

Tuesday, January 11, 2000, 3:00 pm. Senate Committee Room 1.
Discussion of committee report. Possible executive session.

JOINT COMMITTEE ON CORRECTIONS

Wednesday, January 12, 2000, 2:30 pm. Senate Lounge.
This is a working session on committee recommendations to the General Assembly.

JOINT COMMITTEE ON HAZARDOUS WASTE FUND

Wednesday, January 19, 2000, 8:00 am. Hearing Room 1.

HOUSE CALENDAR

FOURTH DAY, TUESDAY, JANUARY 11, 2000

HOUSE BILLS FOR SECOND READING

HB 1374 through HB 1382

[CORRECTED]

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FOURTH DAY, TUESDAY, JANUARY 11, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Our Kind and Gracious God, keep us all working at the questions of life and justice that are before our state.

Bless the men and women of this House. May they represent Your truth in their actions.

They are dealing with tough issues. They are facing tough questions. They are being pulled by tough forces.

Grant to them the gift of discerning hearts and minds, so they may act wisely and to know Your peace; and to You be glory and honor, forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Max Colburn.

The Journal of the third day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 23 - Representative Bartelsmeyer

House Resolution No. 24 - Representative McLuckie

House Resolution No. 25 - Representative Patek

House Resolution No. 26 - Representative McClelland

House Resolution No. 27 and House Resolution No. 28 - Representative Hagan-Harrell

House Resolution No. 29 - Representative Ross

House Resolution No. 30 - Representative Green

SECOND READING OF HOUSE BILLS

HB 1374 through **HB 1382** were read the second time.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to HCR 1. Senators: Schneider, Caskey, Howard, Maxwell, Wiggins, Jacob, Ehlmann, Kenney, Kinder and Klarich.

Representative Crump moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 156

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Stokan	Summers	Surface
Thompson 72	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Bennett	Elliott
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PRESENT: 000

ABSENT WITH LEAVE: 005

Kasten	McLuckie	Robirds	Smith	Thompson 37
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JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Wilson, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present.

AYES: 32

Bland	Caskey	Childers	Clay	DePasco
Ehlmann	Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller	Quick
Roharbach	Russell	Schneider	Scott	Sims
Singleton	Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Bentley

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present.

AYES: 155

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Stokan	Summers	Surface	Thompson 72
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Gross	Hanaway	Kasten	Lograsso	McLuckie
Robirds	Smith	Thompson 37		

The Doorkeeper announced the approach of the Chief Justice of the Supreme Court, The Honorable William Ray Price, Jr. The Chief Justice was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the Assembly in Joint Session.

STATE OF THE JUDICIARY ADDRESS

**By
Chief Justice William Ray Price, Jr.**

January 11, 2000

Mr. Speaker... Mr. President... Members of the General Assembly,

On behalf of the judges of the state of Missouri, it is a pleasure and an honor to deliver this 27th State of the Judiciary address. As we stand on the threshold of the twenty-first century, it is appropriate for us not only to speak of today's issues, but to consider our past and the future, as well.

We have come a long way from the time of pioneers in long boats and covered wagons. What was a wilderness purchased from France in 1803 is now the thriving heartland of America. What was a land of lawlessness is now a state in which the fair and equal application of law prevails.

As a people seeking justice we have made great progress over the years. In 1820, when Missouri's first Supreme Court was established, slavery was legal and women were not allowed to vote. In the mid-1800's the state was divided by a civil war and fear for life and property was the rule not the exception. Today the full protection of the law extends to all people regardless of religion, race, or gender and our courts enjoy the service of increasing numbers of African-American, Hispanic, and women judges. Although we still have a long way to go, this is a tremendous accomplishment in which we can all share joy and pride.

Another significant accomplishment for Missouri over the past century was the adoption in 1940 of the Missouri Plan for the appointment of judges. The Plan minimizes the harmful influence of partisan politics on judges while still holding judges accountable to the people. The wisdom of this plan is attested to by thirty-six states and the District of Columbia which have modeled their own plans after it. Missouri was the leader of our nation in this important step.

In just this past decade, our courts have continued to strive for improvement. As judges, we imposed time standards on ourselves and participated in a program of judicial transfers to more promptly resolve our cases. The courts were opened to electronic media. Family and drug courts were established. We began the statewide automation of our courts. The first woman and the first African-American were appointed to the Missouri Supreme Court. But, throughout all of this change, our focus has remained steadfast upon resolving the disputes of our citizens. Justice is our first priority. The delivery of justice in a timely and efficient manner.

It is difficult to measure the quality of justice. Often that measurement is shaped by the eye of the beholder, relative to his or her particular interest. But, I can tell you without hesitation that we are resolving the cases that come to us as promptly and efficiently as possible.

Unlike other states, we have no great delays in providing court dates for trials. This past year 962,986 cases were filed in our circuit courts. That is up from the year before and an increase of almost 20% from 1993. Our caseload is steadily increasing. But, the vast majority of cases in Missouri are resolved in less than two years and many within one year. Here are the hard numbers:

- 80% of circuit court civil cases are disposed within 18 months
- 90% of domestic relations cases are disposed within 1 year
- 97% of associate civil cases are complete in 1 year, and 89% are complete within 6 months

- 87% of circuit court felony cases are completed within 8 months.

Two key factors helped us achieve these results. First, in 1993, we adopted “time standards” to provide guidelines within which litigants could expect to have their cases heard. These standards encourage judges to keep track of how long a case has been pending and to resolve cases promptly.

Second, we pursued a more aggressive program of judicial transfers. We asked sitting judges and senior judges to increase their assistance to circuits with heavy dockets. Since 1994, judges have worked over 40,200 days and handled over 10,700 cases on judicial transfer.

Although both of these programs were controversial at first, they worked. Again the numbers tell the story.

- In 1993, the first year time standards took effect, more cases were disposed of than were filed, something that had not happened in recent history prior to that time.
- Since 1993 although case filings have increased by nearly 20%, the number of pending cases increased only 12.2%.
- Since 1997, in each and every one of the five case categories, the time necessary to process cases has decreased.

Of course, none of this could have happened without the hard work and dedication of the men and women who are judges in Missouri. And, it could not have happened without your support and cooperation in providing necessary funding. We recognize that you have provided us with scarce resources and we are proud that despite an increasing workload our portion of the state’s budget is less than 1% of total state expenditures.

As you begin this legislative session, there are a number of issues that are important to the judiciary: the proper role for judicial commissioners, the method of appointment of circuit court clerks, increased compensation for jurors, family court enhancements and criminal justice reforms. All received considerable attention last year and all will be debated again this year. I do not have time during these remarks to address each of those issues because there are two other issues I need to discuss in detail.

The first is our joint effort to create a statewide system of court automation. This has been an ambitious and difficult undertaking, but it is absolutely necessary if we are to provide timely and efficient service in the years to come. Our court system must keep up with the rest of Missouri.

When we began this project five years ago many county courts had no automation. Courts in our larger counties that had automated systems could not be linked to the rest of the state and some suffered potentially fatal Y2K problems. With your assistance, a committee was formed and began to design a single integrated system that would meet the needs of all of the courts of this state. The goals for the new computer system were increased efficiency, improved public access, and better management.

Implementing this new technology, as might be expected, has not been cheap or easy, but we have made significant progress. Today we have an information system that allows communication among all of the judicial circuits in the state. One hundred percent of appellate and circuit court judges, as well as nearly ninety percent of associate circuit judges and circuit clerks have access to the system. Case management software is working in divisions of the Barton, Boone, Cole, Franklin, Jackson, Montgomery, Platte, St. Charles, Taney and Warren county courts as well as in all three districts of the Court of Appeals and in the Supreme Court. At the end of Fiscal year 2000, 31% of the state’s caseload will be managed by this software, serving 41% of the state’s population. We particularly thank the court staffs, lawyers and citizens of Montgomery and Jackson counties for serving as pilot sites. They suffered the inevitable wrinkles that needed to be discovered before they could be ironed out.

At this time forty-two courts are requesting implementation of the case management system. The speed with which we will be able to grant these requests and time within which we will be able to complete our state wide objectives will depend upon the amount of funding you provide.

Last year you provided \$6.1 million of funding. With this money case management software has been installed in seven courts with Y2K problems and in seven additional courts as well. By the end of the year we hope to complete installation of case management software in twenty-three courts.

This session we are requesting funds to install the case management software in another twenty to forty courts and to continue development of the system. We understand that this will be a tight budget year and additional resources for any project will be limited. We want you to understand that we are thankful for the support you have given us for this project. We will do the best we can to continue this vital work throughout the state as quickly as funding allows.

Drug courts are another priority of the judiciary. Seven years ago the first drug court was established in Jackson County. Two years ago a task force of the judicial conference recommended and you passed a bill authorizing drug courts statewide. Today twenty-two drug courts are in operation in Missouri with another seventeen in planning stages.

The benefits of drug courts are clear. Instead of sending a non-violent drug offender to prison, he or she is provided treatment under judicial supervision. Cost savings are substantial and the likelihood of rehabilitation is greatly increased. Statewide we have had 869 individuals graduate from drug court with only 34 being rearrested or convicted for new crimes. This represents roughly a 4% recidivism rate compared with a rate of 45%, or greater, for drug offenders who have not graduated from drug court. Drug courts are the right and the efficient thing to do.

Drug courts also have a place outside of the adult criminal system. Jackson and Newton counties are initiating family drug courts. Juvenile drug courts have been established in Newton and Scott counties and Saint Louis City. A number of other counties are planning for juvenile and family drug courts as well.

The primary cost of drug courts is providing treatment and supervision to the participating individuals. Presently, the funding for this treatment is spread among a number of state agencies and is not formally coordinated. Most of the treatment money is channeled through the Department of Corrections and can only be used for adult felony offenders. This money is not available for family drug courts or the treatment of juveniles. We should have a system that is more flexible to the needs of Missouri. A mother struggling to keep, or regain, custody of her children or a troubled juvenile trying to stay in school needs and deserves treatment just as much as an adult charged with a felony.

To solve this problem the Judicial Conference is asking that you establish a drug court commission to coordinate and to administer all moneys allocated to drug courts. The commission would include members of the various state agencies involved in drug treatment issues, the Department of Corrections, the Department of Social Services, the Department of Public Safety, the Department of Mental Health, and the courts. The commission would coordinate all state funding for drug courts, whether adult, family, or juvenile. This will allow for the full utilization of treatment moneys where they are most needed and establish a central source for evaluation and management of drug court programs state wide. I urge you to seriously consider this proposal.

Finally, just a brief thought about the future. If we have learned anything from the past, it is that the foundation for the future is change. Change in technology, change in issues and interests, change in leaders. To serve the people of Missouri well, we in state government will have to identify and resolve the changing problems of each new day under ever-increasing public pressure and with ever-increasing speed. But if we are to serve the people of Missouri well, we will also have to resolve the problems of each new day in accordance with the virtues of our past. Between 1922 and 1924, 14 of those virtues were carved into the walls of this very chamber; knowledge, liberty, equality, law, justice, fraternity, education, progress, honor, truth, virtue, temperance, enterprise, and charity. If we remain true to these virtues, regardless of what problems lay ahead, the state of Missouri can look forward to a future even greater than its past.

Thank You.

The Joint Session was dissolved by the Lieutenant Governor.

Speaker Gaw resumed the Chair.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 5, introduced by Representative Dougherty, urging the United States Congress to amend the Employee Retirement Income Act of 1974 (ERISA).

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 57, introduced by Representative Farnen, relating to regular appearances of the governor before the house of representatives.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1383, introduced by Representative Bray, relating to employee rights.

HB 1384, introduced by Representative Bray, relating to certain civil actions for discrimination.

HB 1385, introduced by Representatives Foley and Levin, relating to restitution to victims of the Nazi holocaust.

HB 1386, introduced by Representatives Britt, Farnen, Gaw, Kreider, Crump, Days, Murray, Hosmer, Williams (159), Backer, Bray and Hoppe, et al, relating to financial exploitation of the elderly or disabled.

HB 1387, introduced by Representative Lakin, relating to child passenger restraint systems.

HB 1388, introduced by Representatives May (108) and O'Toole, relating to removal of a corporate trustee.

HB 1389, introduced by Representative Blunt, relating to income taxation.

HB 1390, introduced by Representative Blunt, relating to income taxation.

HB 1391, introduced by Representative Kreider, relating to building codes in certain counties.

HB 1392, introduced by Representatives Kreider and Reid, relating to health insurance for the working poor.

HB 1393, introduced by Representatives Scheve, Days, Barry, Dougherty and Carter, et al, relating to a newborn visitation program.

HB 1394, introduced by Representatives Murray, Troupe, Foley, Leake, Chrismer, Gaw, Skaggs, Hickey and Carter, et al, relating to a temporary exemption from state and local sales and use tax on retail sales of clothing before the start of the school year.

HB 1395, introduced by Representatives Robirds, Kreider and Graham (24), et al, relating to noxious weeds.

HB 1396, introduced by Representative Farnen, relating to certain representatives on college and university boards.

HB 1397, introduced by Representative Skaggs, relating to capital improvement reserve funds in third class cities.

HB 1398, introduced by Representatives Relford, Barnett, Smith and Seigfreid, et al, relating to aiding the escape of a prisoner.

HB 1399, introduced by Representative Seigfreid, relating to a civil air patrol license plate.

HB 1400, introduced by Representative Fitzwater, relating to assistance to the elderly and disabled.

HB 1401, introduced by Representatives Ladd Stokan and Kelley (47), relating to tax relief for shared care.

HB 1402, introduced by Representatives Townley, Gratz, Sallee, Berkstresser, Reinhart, Hegeman, Froelker and Williams (121), et al, relating to property rights.

HB 1403, introduced by Representatives Hosmer, Parker, Smith, Harlan, Monaco, Clayton, Britt, May (108) and Kreider, relating to circuit courts.

HB 1404, introduced by Representatives Hosmer, Wagner, Britt and Parker, relating to sentencing.

HB 1405, introduced by Representatives Scheve and McClelland, relating to funding for early childhood screenings.

HB 1406, introduced by Representatives Scheve and McClelland, relating to funding for parents as teachers programs.

HB 1407, introduced by Representatives Scheve and McClelland, relating to school-term calendars.

HB 1408, introduced by Representatives Scheve and McClelland, relating to reciprocal certification of teachers from other states.

HB 1409, introduced by Representatives Scheve and McClelland, relating to alternative education programs.

HB 1410, introduced by Representatives Scheve and McClelland, relating to the duty to report certain criminal acts by students to school districts.

HB 1411, introduced by Representatives Ladd Stokan, Graham (24), Howerton, Hartzler (124) and Boucher, relating to assistive technology.

HB 1412, introduced by Representatives Graham (106), Farnen, McClelland and Hosmer, relating to Missouri lifelong learning month.

HB 1413, introduced by Representative Treadway, relating to dental hygienists.

HB 1414, introduced by Representative O'Toole, relating to underground facility safety and damage prevention.

HB 1415, introduced by Representatives Mays (50), Burton, Hegeman, Leake and Griesheimer, et al, relating to taxation and fees for energy services.

HB 1416, introduced by Representatives Green and Rizzo, relating to regulation of business opportunities.

HB 1417, introduced by Representatives Dougherty, Riback Wilson (25) and Lakin, et al, relating to the division of family services.

HB 1418, introduced by Representatives Dougherty and Carter, et al, relating to health insurance coverage.

HB 1419, introduced by Representatives Dougherty, Clayton and Hartzler (124), et al, relating to unclaimed lottery prizes .

HB 1420, introduced by Representative Dougherty, et al, relating to the enactment of the children's product safety act.

HB 1421, introduced by Representative Dougherty, et al, relating to relocation.

HB 1422, introduced by Representatives Dougherty, Selby, Luetkenhaus and Boucher, et al, relating to lead abatement.

HB 1423, introduced by Representative Dougherty, et al, relating to property tax collection.

HB 1424, introduced by Representative Dougherty, et al, relating to lead abatement projects.

HB 1425, introduced by Representatives Dougherty and Lakin, et al, relating to political subdivisions.

HB 1426, introduced by Representatives Shields, Patek, Scott, Naeger, McClelland, Gibbons and Pryor, et al, relating to the Kansas City education renewal commission.

HB 1427, introduced by Representative Hosmer, relating to the protection of certain children.

HB 1428, introduced by Representatives Hickey, Secrest, McLuckie, Wagner, Reynolds, Green, Davis (63), Bonner and O'Connor, et al, relating to a permanent memorial for workers killed or injured on the job.

HB 1429, introduced by Representatives Schwab and Kasten, relating to Missouri veterans' homes.

HB 1430, introduced by Representative Schwab, relating to the consumer telephone privacy act.

HB 1431, introduced by Representatives Treadway, Hegeman, Foley and Holand, et al, relating to physician assistants.

HB 1432, introduced by Representatives Relford, Richardson and Naeger, relating to license plates.

HB 1433, introduced by Representatives Hollingsworth, Gaw, Fitzwater and Gambaro, et al, relating to sale of tobacco products.

HB 1434, introduced by Representative Skaggs, relating to regulation of amusement rides.

HB 1435, introduced by Representative Skaggs, relating to boxing and wrestling.

HB 1436, introduced by Representative Patek, relating to the gaming commission fund.

HB 1437, introduced by Representative Hickey, relating to sales tax.

HB 1438, introduced by Representatives McLuckie, Fraser, Bray, Shelton, Hilgemann, Harlan, Riback Wilson (25), Days, Williams (121) and Davis (63), et al, relating to human rights.

HB 1439, introduced by Representatives Rizzo and Ross, relating to disposal restrictions and recycling of certain items.

COMMITTEE CHANGES

The Speaker submitted the following committee changes:

Representative Boykins is no longer a member of the Appropriations - Health and Mental Health Committee.

Representative Carter is no longer a member of the Fiscal Review Committee.

Representative Carter is no longer a member of the Banks and Financial Institutions Committee.

Representative Thompson (72) has been appointed Vice-Chair of the Fiscal Review Committee.

Representative Wilson (42) has been appointed a member of the Ways and Means Committee.

Representative Riley has been appointed a member of the Banks and Financial Institutions Committee.

Representative Gambaro has been appointed a member of the Appropriations - Social Services and Corrections Committee.

WITHDRAWAL OF HOUSE BILLS

January 11, 2000

The Honorable Steve Gaw
Speaker
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **HB 1164** and **HB 1385** be withdrawn due to technical complications. I will be filing a new bill relating to the same subject matter.

Thank you.

Sincerely,

/s/ James M. Foley

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, January 12, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Third Day, Monday, January 10, 2000, pages 37 and 38, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Wednesday, January 12, 2000, 3:00 pm. Hearing Room 7.
Informational meeting.

AGRICULTURE

Wednesday, January 12, 2000, 3:00 pm. Hearing Room 7.
Informational meeting.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 12, 2000. Hearing Room 7 upon morning adjournment.
Organizational meeting. Presentation on SAM II/BRASS.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 12, 2000. Hearing Room 6 upon adjournment.
Dept. of Mental Health budget.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 13, 2000. Hearing Room 6. Upon adjournment until
3:00 pm. Dept. of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, January 17, 2000, 9:00 am. Hearing Room 6.
Dept. of Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 18, 2000. Hearing Room 6 upon adjournment.
Dept. of Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 19, 2000. Hearing Room 6 upon adjournment.
Dept. of Health budget.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 20, 2000. Hearing Room 6 upon adjournment. Wrap up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 12, 2000, 1:00 pm. Hearing Room 5.
Dept. of Agriculture. AMENDED.

APPROPRIATIONS - SOCIAL SERVICES & CORRECTIONS - SUB-COMMITTEE

Thursday, January 13, 2000, 1:00 pm. Room 205. Family Services Topics.

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 12, 2000, 7:30 pm. Hearing Rm. 6. AMENDED. Planning
session. Presentation from Kids Count, Dept. of Health,
Dept. of Soc. Services. Orientation.
To be considered - HB 1130

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 12, 2000, 3:00 pm. Hearing Room 1.
To be considered - HB 1097, HB 1098, HB 1153, HB 1198

CRIMINAL LAW

Wednesday, January 12, 2000, 8:00 pm. Hearing Room 7.
To be considered - HB 1071, HB 1080, HB 1126, HB 1152

EDUCATION - HIGHER

Wednesday, January 12, 2000, 3:00 pm. Hearing Room 5.
Organizational meeting.

JOINT COMMITTEE ON CORRECTIONS

Wednesday, January 12, 2000, 2:30 pm. Senate Lounge. This is a working session on committee recommendations to the General Assembly. CANCELLED.

JOINT COMMITTEE ON HAZARDOUS WASTE FUND

Wednesday, January 19, 2000, 8:00 am. Hearing Room 1.

WAYS AND MEANS

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 6. Organizational meeting. Presentations by OA, Dept. of Revenue, State Tax Commission.

HOUSE CALENDAR

FIFTH DAY, WEDNESDAY, JANUARY 12, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING
HCR 5

HOUSE JOINT RESOLUTION FOR SECOND READING
HJR 57

HOUSE BILLS FOR SECOND READING
HB 1383 and HB 1384
HB 1386 through HB 1439

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTH DAY, WEDNESDAY, JANUARY 12, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, help us to understand that the pace of our lives is often so hectic that we miss the impact of conscience and values. Protect these men and women of the House, so they do not lose a sense of what is right, what is true, what is best for all.

Keep us sensitive to Your eternal truth, and confident that what is the right and the fitting will be clear to those who seek the right and the fitting.

Point the way, we pray; and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dr. John H. Robinson and Marilyn L. Robinson.

The Journal of the fourth day was approved as corrected by the following vote:

AYES: 149

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Boucher	Boykins	Bray 84	Britt	Burton
Campbell	Carter	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Phillips	Pouche	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields

Skaggs	Smith	Stokan	Summers	Thompson 72
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Lograsso	Wagner
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PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Bonner	Dolan	Foley	Kasten
McLuckie	Merideth	Ostmann	Patek	Robirds
Surface	Thompson 37			

RESOLUTIONS

HR 11 was taken up by Representative Bartelsmeyer and was read.

House Resolution No. 11

WHEREAS, the members of the Missouri House of Representatives always enjoy acknowledging those high school teams that have proven themselves to be top contenders in statewide athletic competition which assists in the development of healthy bodies and sound minds and which helps prepare young citizens for the challenges of both today and tomorrow; and

WHEREAS, the Aurora High School Houn' Dawgs 3A football team performed exceptionally well all season long in the best traditions of the school which enjoys a fine reputation for ensuring that its student athletes are ably trained, superbly coached, and highly motivated; and

WHEREAS, in a truly impressive and heart-felt athletic endeavor, the Aurora Houn' Dawgs captured the State Championship 3A Title at the TWA Dome in St. Louis on November 26, 1999, by defeating the California Pintos 7-0; and

WHEREAS, in addition to their status as the 1999 3A State Football Champions, the Houn' Dawgs enjoyed an exceptional undefeated season which saw the Big 8 Conference and District 10 Championship team trounce Ava 45-6 in Sectionals, overcome Oak Grove 31-20 at Quarterfinals, and defeat Platte County 14-0 in Semi-Final competition; and

WHEREAS, admirably led by head coach Pat Woods with support from assistant coaches Jim Waggoner, Steve Levingston, Corey Roy, and Brendan McGinnis, the Houn' Dawgs realized incredible achievements through the effort and talent of starters Kyle Wilson, Brandon Weldy, Brad Lauffer, Matt Levingston, Rawley Burbridge, Clay Weldy, Kevin McVey, Matt Crane, Travis McAlister, Chase DeMoss, Dustin Mooneyham, Judd Burton, Matt Wrinkle, Donald Hockman, Matt Johnston, Justin White, Steve Williams, Aaron Setliff, Casey Herbert, Travis Meeks, Nathan Washam, and Rob Price with relief work contributions from Matt Summers, Braxton Lawrence, Truman Jones, Joe Durkin, Greg Nolan, Ivan Buchanan, Brad Blankenship, Matt Kirk, Jeremy Baker, Kyle O'Leary, James Fare, Dusty Reidle, Cody Sharp, Scott Costello, Derek Erwin, Jeremy Meyer, Justin Kincead, Eric Lewis, Marcus Woods, Brian McCormick, Jared White, Matt Gassaway, Case Howard, and Nathan Wilson:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, join unanimously to applaud the impressive achievements of the Aurora Houn' Dawgs football team as it rightfully claimed a First Place standing at the Class 3A Missouri State High School Activities Association Football Championships; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the 1999 State Champion Aurora High School Houn' Dawgs football team.

HR 23 was taken up by Representative Bartelsmeyer and was read.

House Resolution No. 23

WHEREAS, the members of the Missouri House of Representatives have tremendous esteem for those Show-Me State educators who have admirably contributed untold amounts of time and energy to ensure the success of extracurricular activities that are so important to the development of this state's future leaders; and

WHEREAS, Pat Woods of Aurora, Missouri, enjoys recognition as the 3A "Coach of the Year" for the 1999-2000 school year; and

WHEREAS, a 1971 graduate of Missouri Southern College, Pat Woods has eagerly accepted all of the duties and responsibilities that accompany his leadership of the 3A Aurora Houn' Dawgs during his ten-year tenure as Top Dawg of the coaching staff; and

WHEREAS, with an impressive career coaching record of 79-32, Coach Woods has also been privileged to earn Big 8 Conference "Coach of the Year" status as well as Southwest Missouri Football Coaches Association "Coach of the Year" honors; and

WHEREAS, in addition to his ten years of coaching endeavors which were conducted in two stints, Coach Woods has twenty-nine years to his credit as an exceptional teacher of high-school-level math classes; and

WHEREAS, a member of Holy Trinity Catholic Church in Aurora, Pat Woods is an avid outdoorsman who promotes conservation and environmental issues and is a registered Scouter who has served Troop 48 for ten years as a patrol advisor, assistant scoutmaster, and merit badge counselor; and

WHEREAS, despite his hectic schedule, Pat Woods remains totally devoted to his beloved wife, Sharee, and to their two children, Matthew of Joplin, and Marcus, who attends Aurora High School:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, join unanimously to applaud the life and work of Coach Woods and to extend our heartiest congratulations upon his well-deserved selection for the 3A "Coach of the Year" award; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution in honor of 3A "Coach of the Year", Pat Woods of Aurora, Missouri.

Representative Williams (121) offered House Resolution No. 33.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 31 - Representative Selby
House Resolution No. 32 - Representatives Reynolds, George, Green,
Hagan-Harrell, Ladd Stokan and Reid
House Resolution No. 34 - Representative Gambaro
House Resolution No. 35 - Representative Barnett
House Resolution No. 36 and House Resolution No. 37 - Representative Thompson (72)

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 5 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 57 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1383, HB 1384, and HB 1386 through **HB 1439** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1362 - Critical Issues

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 6, introduced by Representative Abel, relating to the Governor establishing a committee to look into and examine the issue of school-age children who are taking medication for behavior control.

HCR 7, introduced by Representative Gambaro, relating to the Children's Bill of Rights introduced by Covenant House Missouri at the Second Annual Candlelight Vigil on December 7, 1999.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 58, introduced by Representative Treadway, relating to real property.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1440, introduced by Representative Crump, relating to telemarketing.

HB 1441, introduced by Representative Koller, relating to the division of motor carrier and railroad safety.

HB 1442, introduced by Representative Koller, relating to motor vehicle lengths.

HB 1443, introduced by Representative Koller, relating to providing sales tax exemptions for admission fees for hunting, and fees for sales of feed and equipment used for production of certain domestically raised pheasants, partridges, quail and ungulates.

HB 1444, introduced by Representative Ballard, relating to the licensing of farm wagons.

HB 1445, introduced by Representative Gratz, relating to veterans' affairs.

HB 1446, introduced by Representatives Graham (24) and Dolan, relating to the regulation of stretcher vans.

HB 1447, introduced by Representative Ford, relating to exceptions for height and weight restrictions on highways.

HB 1448, introduced by Representative Froelker, relating to a temporary exemption from state and local sales and use tax on retail sales of clothing before the start of the school year.

HB 1449, introduced by Representative Froelker, relating to income taxation.

HB 1450, introduced by Representative Froelker, relating to a pharmaceutical assistance program.

HB 1451, introduced by Representative Hosmer, relating to interest on title loans.

HB 1452, introduced by Representatives Foley and Levin, relating to restitution to victims of the Nazi holocaust.

HB 1453, introduced by Representative Luetkenhaus, relating to the assessment of real property.

HB 1454, introduced by Representative Hoppe, relating to environmental control tax incentives.

HB 1455, introduced by Representative Bray, relating to human rights.

HB 1456, introduced by Representatives Kreider and Gibbons, relating to the office of administration.

HB 1457, introduced by Representative Hosmer, relating to the thirty-first judicial circuit.

HB 1458, introduced by Representative O'Toole, relating to termite inspectors.

HB 1459, introduced by Representatives Kelly (27) and Kreider, relating to income tax deductions on health-related expenses.

HB 1460, introduced by Representatives Hegeman and Relford, relating to prosecutors' pay.

HB 1461, introduced by Representative Hegeman, relating to denial of unemployment benefits.

HB 1462, introduced by Representative Hegeman, relating to tax relief in distressed communities.

HB 1463, introduced by Representatives Franklin, Williams (159), Scheve, Foley, Gaw, Murray and Crump, et al, relating to certain school employee retirement systems.

HB 1464, introduced by Representatives Ransdall and Graham (24), relating to funeral merchandise.

HB 1465, introduced by Representatives Ransdall, Hampton, Williams (121) and Skaggs, relating to motor vehicle drivers' licenses.

HB 1466, introduced by Representative Hendrickson, relating to long-term care insurance tax credit.

HB 1467, introduced by Representative Treadway, relating to professional counselors.

HB 1468, introduced by Representatives Ward and Crump, relating to the state highway patrol.

HB 1469, introduced by Representative Scheve, et al, relating to revising the amount of revenue per eligible pupil received by a school district.

HB 1470, introduced by Representative Scheve, relating to tax relief for investments in certified capital companies.

HB 1471, introduced by Representative Green, relating to the placement of certain individuals in correctional institutions.

HB 1472, introduced by Representatives Smith and Gaw, relating to the state juvenile information system.

HB 1473, introduced by Representatives Treadway and Gaw, relating to real estate brokers.

WITHDRAWAL OF HOUSE BILL

January 12, 2000

Anne C. Walker, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, Missouri 65101

Dear Ms. Walker:

I would like to withdraw **House Bill 1366**. Thank you for your prompt response to this request.

Sincerely,

/s/ Don R. Kissell
State Representative
District 17

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, January 13, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fourth Day, January 11, 2000, page 45, roll call, by showing Representatives Gross and Hanaway voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 17, 2000, 1:00 pm. Hearing Room 7. Public testimony.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 18, 2000. Hearing Room 7 upon morning adjournment.
Public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 13, 2000. Hearing Room 6.
Upon adjournment until 3:00 pm. Dept. of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, January 17, 2000, 9:00 am. Hearing Room 6.
Dept. of Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 18, 2000. Hearing Room 6 upon adjournment.
Dept. of Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 19, 2000. Hearing Room 6 upon adjournment.
Dept. of Health budget.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 20, 2000. Hearing Room 6 upon adjournment. Wrap up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, January 17, 2000, 12:00 pm. Room 5. Dept. of Conservation,
Dept. of Insurance, Dept. of Labor and Industrial Relations.

APPROPRIATIONS - SOCIAL SERVICES & CORRECTIONS - SUB-COMMITTEE

Thursday, January 13, 2000, 1:00 pm. Room 205. Family Services Topics.

CONSUMER PROTECTION AND HOUSING

Tuesday, January 18, 2000, 8:00 pm. Hearing Room 4.
To be considered - HB 1144, HB 1177

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 3.
Presentation by Rep. Scheve on Hold Harmless School Dist. Interim Committee.
To be considered - HB 1075, HB 1076, HJR 43

FISCAL REVIEW

Tuesday, January 18, 2000, 8:30 am. Hearing Room 7. Executive session.
To be considered - HB 1074, HJR 40

INTERIM JOINT COMMITTEE ON HAZARDOUS WASTE FUND

Wednesday, January 19, 2000, 8:00 am. Hearing Room 1.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 1.
To be considered - HB 1078, HB 1093, HB 1147, HB 1180, HB 1193, HB 1194

WAYS AND MEANS

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 6. Organizational meeting.
Presentations by OA, Dept. of Revenue, State Tax Commission.

HOUSE CALENDAR

SIXTH DAY, THURSDAY, JANUARY 13, 2000

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 6 and HCR 7

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 58

HOUSE BILLS FOR SECOND READING

HB 1440 through HB 1473

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTH DAY, THURSDAY, JANUARY 13, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

O Lord of Life, You will still be here after this prayer is said, and we would have it so. Because we know in our hearts that Your help is real help, for our needs and guidance for acting on our opportunities. Without You this House would discuss more and more and settle less.

Bless all who work here this day, members and staff, and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Timothy Taylor.

The Journal of the fifth day was approved as corrected by the following vote:

AYES: 155

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Parker
Patek	Phillips	Pouche	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Stokan	Summers	Thompson 72
Townley	Treadway	Troupe	Tudor	Van Zandt

Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Hanaway

PRESENT: 000

ABSENT WITH LEAVE: 007

Kasten	Lograsso	McLuckie	Ostmann	Robirds
Surface	Thompson 37			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 38 - Representative Backer
House Resolution No. 39 - Representative Smith
House Resolution No. 40 through House Resolution No. 43 - Representatives Gross and Bennett
House Resolution No. 44 - Representative McKenna
House Resolution No. 45 - Representative Williams (121)
House Resolution No. 46 through House Resolution No. 48 - Representative Ward
House Resolution No. 49 - Representative Secrest
House Resolution No. 50 - Representative Gibbons
House Resolution No. 51 and House Resolution No. 52 - Representatives McClelland, Bray, Days and Fraser

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 6 and **HCR 7** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 58 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1440 through **HB 1473** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 4 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 50** - Ways and Means
- HJR 51** - Criminal Law
- HJR 52** - Missouri Tobacco Settlement

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1201** - Insurance
- HB 1202** - Social Services, Medicaid and the Elderly
- HB 1203** - Education - Elementary and Secondary
- HB 1204** - Education - Elementary and Secondary
- HB 1206** - Critical Issues
- HB 1208** - Civil and Administrative Law
- HB 1209** - Ways and Means
- HB 1210** - Motor Vehicle and Traffic Regulations
- HB 1211** - Motor Vehicle and Traffic Regulations
- HB 1212** - Critical Issues
- HB 1213** - Critical Issues
- HB 1214** - Ways and Means
- HB 1215** - Civil and Administrative Law
- HB 1216** - Children, Youth and Families
- HB 1217** - Education - Elementary and Secondary
- HB 1218** - Governmental Organization and Review
- HB 1219** - Motor Vehicle and Traffic Regulations
- HB 1220** - Civil and Administrative Law
- HB 1221** - Education - Elementary and Secondary
- HB 1222** - Civil and Administrative Law
- HB 1223** - Agri-Business
- HB 1224** - Education - Elementary and Secondary
- HB 1225** - Criminal Law
- HB 1226** - Criminal Law
- HB 1229** - Local Government and Related Matters
- HB 1230** - Children, Youth and Families
- HB 1231** - Ways and Means
- HB 1232** - Criminal Law
- HB 1233** - Civil and Administrative Law
- HB 1234** - Criminal Law
- HB 1235** - Motor Vehicle and Traffic Regulations
- HB 1236** - Motor Vehicle and Traffic Regulations
- HB 1237** - Critical Issues

HB 1238 - Local Government and Related Matters
HB 1239 - Criminal Law
HB 1240 - Civil and Administrative Law
HB 1241 - Professional Registration and Licensing
HB 1242 - Professional Registration and Licensing
HB 1244 - Ways and Means
HB 1245 - Critical Issues
HB 1246 - Ways and Means
HB 1248 - Fiscal Review
HB 1249 - Labor
HB 1250 - Motor Vehicle and Traffic Regulations
HB 1251 - Motor Vehicle and Traffic Regulations
HB 1252 - Transportation
HB 1253 - Professional Registration and Licensing
HB 1254 - Public Safety and Law Enforcement
HB 1255 - Education - Elementary and Secondary
HB 1256 - Insurance
HB 1257 - Education - Elementary and Secondary
HB 1259 - Workers Compensation and Employment Security
HB 1260 - Social Services, Medicaid and the Elderly
HB 1261 - Education - Elementary and Secondary
HB 1262 - Criminal Law
HB 1263 - Elections
HB 1264 - Judiciary
HB 1265 - Retirement
HB 1266 - Professional Registration and Licensing
HB 1267 - Education - Elementary and Secondary
HB 1268 - Education - Elementary and Secondary
HB 1269 - Education - Elementary and Secondary
HB 1270 - Education - Elementary and Secondary
HB 1271 - Federal-State Relations and Veterans Affairs
HB 1272 - Ways and Means
HB 1273 - Ways and Means
HB 1274 - Ways and Means
HB 1275 - Governmental Organization and Review
HB 1276 - Judiciary
HB 1277 - Ways and Means
HB 1278 - Motor Vehicle and Traffic Regulations
HB 1279 - Education - Elementary and Secondary
HB 1280 - Judiciary
HB 1282 - Correctional and State Institutions
HB 1283 - Professional Registration and Licensing
HB 1284 - Local Government and Related Matters
HB 1285 - Motor Vehicle and Traffic Regulations
HB 1286 - Municipal Corporations

HB 1287 - Professional Registration and Licensing
HB 1288 - Transportation
HB 1289 - Criminal Law
HB 1290 - Municipal Corporations
HB 1291 - Professional Registration and Licensing
HB 1292 - Insurance
HB 1293 - Professional Registration and Licensing
HB 1294 - Judiciary
HB 1295 - Ways and Means
HB 1296 - Ways and Means
HB 1298 - Ways and Means
HB 1299 - Ways and Means
HB 1300 - Judiciary
HB 1363 - Transportation
HB 1386 - Critical Issues

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1474, introduced by Representative Kreider, relating to gambling moneys for schools.

HB 1475, introduced by Representatives Hosmer and Schilling, et al, relating to certain institutions of higher education.

HB 1476, introduced by Representative McBride, relating to the regulation of dietitians.

HB 1477, introduced by Representative Luetkenhaus, relating to donation of equipment to volunteer fire protection associations.

HB 1478, introduced by Representatives Fraser, Berkowitz, Ransdall, Selby, Riley, Wilson (42) and Curls, et al, relating to school-term calendars.

HB 1479, introduced by Representative Loudon, relating to ticket scalping.

HB 1480, introduced by Representative Loudon, relating to Shriners' license plate.

HB 1481, introduced by Representative Smith, relating to the Missouri title insurance act.

HB 1482, introduced by Representatives Phillips and Bennett, et al, relating to election offenses by public employees.

HB 1483, introduced by Representative Merideth, relating to enterprise zones.

HB 1484, introduced by Representatives Overschmidt, Hosmer and Griesheimer, relating to vandalism.

HB 1485, introduced by Representatives Abel, Ward and Kreider, et al, relating to health insurance.

HB 1486, introduced by Representatives Abel, Selby, McKenna, Hollingsworth, Ward and Wagner, relating to state aid to community colleges.

HB 1487, introduced by Representatives Kreider and Legan, relating to building regulations in certain counties.

HB 1488, introduced by Representatives Kennedy, Ladd Stokan, Barry, Carter and Curls, et al, relating to hepatitis A exposure.

HB 1489, introduced by Representatives Kennedy, Ladd Stokan, Abel, Barry, Selby and Carter, et al, relating to immunization of children.

HB 1490, introduced by Representative Shields, relating to criminal procedure.

HB 1491, introduced by Representative Shields, relating to sales and use taxes.

HB 1492, introduced by Representative Shields, relating to teacher shortage districts.

HB 1493, introduced by Representatives May (108), Foley, Monaco and O'Toole, relating to the fireman's rule.

HB 1494, introduced by Representatives May (108), Monaco, Bray, Harlan, Hosmer, Smith and Carter, et al, relating to certain civil actions for discrimination.

HB 1495, introduced by Representative Rizzo, relating to the Missouri small business promotion act.

HB 1496, introduced by Representatives Hilgemann, Bray, Boucher, Selby, Graham (24), Schilling and Ladd Stokan, et al, relating to the homeless assistance program.

HB 1497, introduced by Representatives Barry, Berkowitz, McKenna, Kreider, Kennedy, Relford and Crump, et al, relating to prescriptions.

HB 1498, introduced by Representatives Hendrickson, Hartzler (124) and King, et al, relating to sales tax exemptions.

HB 1499, introduced by Representative Hoppe, relating to the division of liquor control.

HB 1500, introduced by Representatives McLuckie and Wagner, et al, relating to good faith employee negotiations.

HB 1501, introduced by Representatives Gaw, Kreider, Wilson (42), Franklin, Backer, Williams (159), Campbell, Boucher and Boykins, et al, relating to the regulation of telemarketing.

HB 1502, introduced by Representatives Smith, Britt, Relford, Berkowitz, Kennedy and Kreider, et al, relating to the registration of offenders.

HB 1503, introduced by Representatives Schilling and Hosmer, relating to liquor.

HB 1504, introduced by Representative Patek, relating to livestock.

HB 1505, introduced by Representative Hosmer, relating to watercraft regulations.

HB 1506, introduced by Representatives Van Zandt, Smith, Gaw, Campbell, Franklin, Backer, Hanaway, Harlan, Hoppe, Hosmer, Murray and Crump, et al, relating to tobacco.

HB 1507, introduced by Representative Summers, relating to arrest prior to requisition.

HB 1508, introduced by Representative Summers, relating to harassment.

HB 1509, introduced by Representative Hosmer, relating to unlawful merchandising practices.

WITHDRAWAL OF HOUSE BILL

January 13, 2000

The Honorable Steve Gaw, Speaker
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request to withdraw **House Bill 1441** that I filed relating to motor carrier and railroad safety.

Thank you for your assistance in this matter.

Sincerely,

/s/ Don Koller
State Representative
District 153

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, January 17, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifth Day, Wednesday, January 12, 2000, pages 56 and 57, roll call, by showing Representatives Bonner, Dolan and Patek voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Monday, January 17, 2000. Hearing Room 1 upon evening adjournment.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 17, 2000, 1:00 pm. Hearing Room 7. Public testimony.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 18, 2000. Hearing Room 7 upon morning adjournment.
Public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, January 17, 2000, 9:00 am. Hearing Room 6.
Dept. of Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 18, 2000. Hearing Room 6 upon adjournment.
Dept. of Health public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 19, 2000. Hearing Room 6 upon adjournment.
Dept. of Health budget.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 20, 2000. Hearing Room 6 upon adjournment. Wrap up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, January 17, 2000, 12:00 pm. Hearing Room 5.
Dept. of Conservation, Dept. of Insurance, Dept. of Labor and Industrial relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 18, 2000, 12:00 pm. Hearing Room 5.
Dept. of Natural Resources. AMENDED.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 19, 2000. Hearing Room 5 upon adjournment.
Dept. of Economic Development.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 18, 2000. Hearing Room 3 upon adjournment.

Training session for new Budget System.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 19, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 25, 2000. Hearing Room 3 upon adjournment.

Public testimony from the Dept. of Corrections and Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 26, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services.

CONSUMER PROTECTION AND HOUSING

Tuesday, January 18, 2000, 8:00 pm. Hearing Room 4.

To be considered - HB 1144, HB 1177

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, January 18, 2000, 8:00 pm. Hearing Room 7.

To be considered - HB 1072, HB 1185, HB 1186

CRITICAL ISSUES

Monday, January 17, 2000, 8:00 pm. Hearing Room 3.

To be considered - HB 1362

CRITICAL ISSUES

Tuesday, January 18, 2000, 9:00 am. Hearing Room 3.

To be considered - Executive Session - HB 1362

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 3.

Presentation by Rep. Scheve on Hold Harmless School Dist. Interim Committee.

To be considered - HB 1075, HB 1076, HJR 43

FISCAL REVIEW

Tuesday, January 18, 2000, 8:30 am. Hearing Room 7. Executive session.

To be considered - HB 1074, HJR 40

INSURANCE

Tuesday, January 18, 2000, 8:00 am. Hearing Room 5. AMENDED.

To be considered - HB 1083, HB 1133, HB 1148

JOINT INTERIM COMMITTEE ON HAZARDOUS WASTE FUND

Wednesday, January 19, 2000, 8:00 am. Hearing Room 1.

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 7.

Executive session may follow.

To be considered - HB 1070, HB 1077, HB 1095, HB 1135

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 19, 2000, 9:30 am. Hearing Room 6. Executive session.

To be considered - HJR 45, HR 4

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1078, HB 1093, HB 1147, HB 1180, HB 1193, HB 1194

PUBLIC HEALTH

Wednesday, January 19, 2000, 8:30 am. Hearing Room 7.

To be considered - HB 1178, HB 1197, HB 1199

WAYS AND MEANS

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 6. Organizational meeting. Presentations by OA, Dept. of Revenue, State Tax Commission.

HOUSE CALENDAR

SEVENTH DAY, MONDAY, JANUARY 17, 2000

HOUSE BILLS FOR SECOND READING

HB 1474 through HB 1509

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SEVENTH DAY, MONDAY, JANUARY 17, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Almighty and Eternal God, Source of our wisdom and the strength to carry out our highest goals, be with this Assembly today. Give these Representatives the insight to move their deliberations on to successful conclusions. Bless these men and women with the courage to be true to their desire to serve the people of this sovereign state. And may their hearts and minds be filled with the ideas and motivations that called Dr. Martin Luther King, Jr., whose memory we observe today, to give his very life for the good of this nation. May these men and women, in all they do today, be guided by the same tenets which guided his code of belief in the sacredness and inviolability of every human being. Sit and deliberate with this august body today, God, ever true, ever caring, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jansen Murray, Dana Michelle McFarlane, Pete Herring and Meredith Gibbons.

The Journal of the sixth day was approved as corrected by the following vote:

AYES: 141

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Boatright	Bonner
Boucher	Bray 84	Britt	Burton	Campbell
Carter	Champion	Chrimer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Dougherty	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Howerton	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Stokan	Summers	Surface	Townley
Treadway	Tudor	Van Zandt	Vogel	Wagner

Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 005

Blunt	Hanaway	Lograsso	Ridgeway	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 017

Berkowitz	Boykins	Days	Dolan	Elliott
Gunn	Hoppe	Hosmer	Kasten	Kelley 47
Long	Riley	Robirds	Thompson 37	Thompson 72
Troupe	Wiggins			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 53 - Representative Riley
House Resolution No. 54 - Representatives Ridgeway, Reinhart, Phillips, Pouche, Skaggs, Lakin and Fitzwater
House Resolution No. 55 - Representative Kasten
House Resolution No. 56 and House Resolution No. 57 - Representative Gaw
House Resolution No. 58 through House Resolution No. 65 - Representative Williams (121)
House Resolution No. 66 - Representative Crawford
House Resolution No. 67 and House Resolution No. 68 - Representative Hickey
House Resolution No. 69 - Representative Kelley (47)
House Resolution No. 70 - Representative Chrismer
House Resolution No. 71 - Representatives Scheve and Enz
House Resolution No. 72 - Representative Purgason
House Resolution No. 73 - Representative Williams (121)

HR 73 was taken up by Representative Williams (121) and was read.

House Resolution No. 73

WHEREAS, it is with great pride and sincere admiration that the members of the Missouri House of Representatives pause to recognize an outstanding young Missouri citizen who has distinguished herself as a leader of her peers; and

WHEREAS, Mindy Bullard, a remarkable student at Warrensburg Public High School in Warrensburg, Missouri, is to be commended for taking First Place during the Missouri Girls Golf State Championship held October 18 and 19, 1999, in Sedalia; and

WHEREAS, Mindy Bullard gave her many fans good reason to cheer throughout the tournament which she finished with an impressive score of 156 for a 36-hole total; and

WHEREAS, Mindy Bullard has been selected as the Sunrise Optimist Club's Athlete of the Month of October for three years in a row and boasts a notable list of other accomplishments that include becoming the National Long Drive Champion with a drive of 255 yards and two inches in Houston, Texas, and winning the 1998 State Optimist Championship in Blue Springs, an impressive feat which earned her a trip to the Professional Golfers Association National at Palm Beach Gardens, Florida; and

WHEREAS, the first Warrensburg athlete to win a state golf championship, Mindy Bullard has participated in state competition throughout her high school career where she has displayed great skill and self-confidence in taking Eighth Place as a freshman, Third Place as a sophomore, and First Place as a junior; and

WHEREAS, undefeated in all nine-hole matches, Mindy Bullard credits her overwhelming success to the tremendous support and encouragement she has received from her wonderful teammates who include Emily Wales, Ali Gabel, Jennifer DeVries, Carleigh Smith, and Sarah Huller; and

WHEREAS, Mindy Bullard could not have attained such phenomenal success this season without the exemplary leadership provided by Coach Hank Hamann, who has continually instilled within all his outstanding players the desire to realize their fullest potential:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, unanimously join in extending our most hearty congratulations to Mindy Bullard at this proud moment of well-deserved distinction, and in wishing her only the very best of continued success both on and off the greens; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Mindy Bullard, as a measure of our esteem for her.

House Resolution No. 74 - Representative Kennedy
House Resolution No. 75 - Representatives Dougherty and Scheve

SECOND READING OF HOUSE BILLS

HB 1474 through **HB 1509** were read the second time.

ESCORT COMMITTEE

The following committee was appointed to escort the Governor to the dais in Joint Session on Wednesday, January 19, 2000: Representatives Backer, Relford, Lawson, Reynolds, McKenna, Fraser, Riley, Meredith, McClelland, Shields, Ostmann, Tudor, Klindt and Long.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1084 - Governmental Organization and Review
HB 1258 - Transportation
HB 1440 - Consumer Protection and Housing
HB 1501 - Consumer Protection and Housing
HB 1506 - Missouri Tobacco Settlement

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1510, introduced by Representatives Champion and Gross, et al, relating to detailed base budgeting for state departments.

HB 1511, introduced by Representative Champion, et al, relating to failure to obey the lawful order of a law enforcement officer.

HB 1512, introduced by Representative Champion, et al, relating to disclosures of certain fund-raising costs.

HB 1513, introduced by Representatives Champion and Kreider, et al, relating to the Wilson's Creek National Battlefield Foundation special license plate.

HB 1514, introduced by Representative Champion, et al, relating to nonemergency medical transportation programs.

HB 1515, introduced by Representative Champion, relating to the combat infantry badge special license plates.

HB 1516, introduced by Representative Gaskill, et al, relating to an income tax credit for personal property tax paid on agricultural crops and machinery.

HB 1517, introduced by Representative Gaskill, et al, relating to certain crimes involving alcohol.

HB 1518, introduced by Representative Gaskill, et al, relating to adoption of the common law.

HB 1519, introduced by Representative Gaskill, et al, relating to the state lottery.

HB 1520, introduced by Representative Gaskill, et al, relating to marriage licenses.

HB 1521, introduced by Representative Gaskill, relating to defense of the flag.

HB 1522, introduced by Representatives Patek, Shields, Chrismer, Scott, Gibbons, McClelland, Hendrickson, Gross, Klindt and Black, et al, relating to gambling moneys for schools.

HB 1523, introduced by Representatives Patek, Shields, Hartzler (124), Tudor, Gibbons, Scott and Naeger, et al, relating to donations to schools.

HB 1524, introduced by Representatives Patek, Shields, Scott, Tudor, Gibbons and Naeger, et al, relating to donations to schools.

HB 1525, introduced by Representatives Shields, Patek, Scott, Gibbons, Tudor, Naeger and Klindt, et al, relating to the creation of waiver school districts.

HB 1526, introduced by Representatives McClelland, Patek, Scott, Hendrickson, Sallee and Klindt, et al, relating to categorical add-ons for safe school initiatives.

HB 1527, introduced by Representatives Patek, Tudor, Scott, Klindt and Summers, et al, relating to the duty to report certain criminal acts by students to school districts.

HB 1528, introduced by Representatives Patek, Tudor, Klindt, Scott, Gibbons, McClelland, Hendrickson and Summers, et al, relating to unlawful use of weapons.

HB 1529, introduced by Representatives Patek, Hendrickson, Gross, Gibbons, McClelland and Sallee, et al, relating to permanent funds for education.

HB 1530, introduced by Representatives Shields, Scott, Klindt, Patek and Summers, et al, relating to expenditures for school safety and security.

HB 1531, introduced by Representatives Patek, Tudor and Gross, et al, relating to the admittance of suspended and expelled students.

HB 1532, introduced by Representatives Patek, Gross, Scott, Chrismer, Hendrickson and Summers, et al, relating to a blue ribbon program for safe schools.

HB 1533, introduced by Representative Patek, et al, relating to causes for suspension and expulsion of students.

HB 1534, introduced by Representative Patek, et al, relating to a pilot project for school uniforms.

HB 1535, introduced by Representatives Patek, Scott, Hartzler (124) and Summers, et al, relating to crime reporting for school accreditation purposes.

HB 1536, introduced by Representatives Patek, Scott, Klindt, Sallee and Summers, et al, relating to tort immunity for teachers reporting violent acts.

HB 1537, introduced by Representatives Patek, Naeger and Summers, et al, relating to school funds.

HB 1538, introduced by Representative Dolan, relating to immunizations for students.

HB 1539, introduced by Representatives Patek and May (108), relating to jury service.

HB 1540, introduced by Representative Green, relating to procurement of services for state construction projects.

HB 1541, introduced by Representative Green, relating to Sunday liquor sales.

HB 1542, introduced by Representative May (108), relating to the gaming commission.

HB 1543, introduced by Representatives Smith and Abel, relating to probate estates.

HB 1544, introduced by Representative Smith, relating to authorized distributions by not-for-profit corporations.

HB 1545, introduced by Representatives Smith and Williams (121), relating to county planning and zoning.

HB 1546, introduced by Representative Smith, relating to the administrative hearing commission.

HB 1547, introduced by Representative Scheve, et al, relating to tax relief for investments in certified capital companies.

HB 1548, introduced by Representative Wagner, relating to change of venue.

HB 1549, introduced by Representative Green, relating to a parent's or guardian's failure to enroll a child in school.

HB 1550, introduced by Representatives Richardson and Gratz, relating to environmental protection.

HB 1551, introduced by Representative Richardson, relating to marriage licenses.

HB 1552, introduced by Representative Scheve, relating to available per-pupil funding.

HB 1553, introduced by Representative Scheve, relating to gambling boat proceeds.

HB 1554, introduced by Representatives Riback Wilson (25), Carter and Schilling, relating to the department of mental health.

HB 1555, introduced by Representative Auer, relating to claims of insolvent insurers.

HB 1556, introduced by Representative Hartzler (124), et al, relating to abortion.

HB 1557, introduced by Representative Pouche, relating to boards of equalization in certain counties.

HB 1558, introduced by Representative Fitzwater, relating to the Missouri state employees' retirement system.

HB 1559, introduced by Representative Froelker, relating to the general assembly.

COMMITTEE CHANGES

The Speaker submitted the following committee changes:

Representative Parker is no longer a member of the Agri-Business Committee.

Representative Graham (24) is no longer a member of the Criminal Law Committee.

Representative Graham (24) has been appointed a member of the Agri-Business Committee.

Representative Foley has been appointed a member of the Local Government and Related Matters Committee.

Representative Ladd Stokan has been appointed a member of the Criminal Law Committee.

WITHDRAWAL OF HOUSE BILL

January 13, 2000

Anne Walker, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Walker:

I would like to withdraw **HB 1470**. Thank you for your prompt response to this request.

Sincerely,

/s/ May E. Scheve
State Representative
District 98

The following members' presence was noted: Long and Gunn.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, January 18, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixth Day, Thursday, January 13, 2000, pages 64 and 65, roll call, by showing Representative Wright voting "no" rather than "aye".

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 18, 2000. Hearing Room 7 upon morning adjournment.

Public testimony.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 18, 2000. Hearing Room 6 upon adjournment. Dept. Budget.

AMENDED NOTICE.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 19, 2000. Hearing Room 6 upon adjournment. Wrap-up.

AMENDED NOTICE.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 20, 2000. Hearing Room 6 upon adjournment. Wrap up.

CANCELLED. AMENDED NOTICE.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 18, 2000, 12:00 pm. Hearing Room 5.

Dept. of Natural Resources. AMENDED.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 19, 2000. Hearing Room 5 upon adjournment.

Dept. of Economic Development.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 18, 2000. Hearing Room 3 upon adjournment.

Training session for new Budget System.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 19, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 25, 2000. Hearing Room 3 upon adjournment.

Public testimony from the Dept. of Corrections and Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 26, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 19, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1208, HB 1215, HB 1220, HB 1222, HB 1240

CONSUMER PROTECTION AND HOUSING

Tuesday, January 18, 2000, 8:00 pm. Hearing Room 4.

To be considered - HB 1144, HB 1177

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, January 18, 2000, 8:00 pm. Hearing Room 7.

To be considered - HB 1072, HB 1185, HB 1186

CRIMINAL LAW

Wednesday, January 19, 2000, 8:00 pm. Hearing Room 7.

To be considered - HB 1155, HB 1169, HB 1225, HB 1239, HB 1262, HJR 51

CRITICAL ISSUES

Tuesday, January 18, 2000, 9:00 am. Hearing Room 3.

To be considered - Executive Session - HB 1362

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 3.

Presentation by Rep. Scheve on Hold Harmless School Dist. Interim Committee.

To be considered - HB 1075, HB 1076, HJR 43

EDUCATION - HIGHER

Wednesday, January 19, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1161, HB 1179

FISCAL REVIEW

Tuesday, January 18, 2000, 8:30 am. Hearing Room 7. Executive session.

To be considered - HB 1074, HJR 40

INSURANCE

Tuesday, January 18, 2000, 8:00 am. Hearing Room 5. AMENDED.

To be considered - HB 1083, HB 1133, HB 1148

INTERIM JOINT COMMITTEE ON HAZARDOUS WASTE FUND

Wednesday, January 19, 2000, 8:00 am. Hearing Room 1.

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 7.

Executive session may follow.

To be considered - HB 1070, HB 1077, HB 1095, HB 1135

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 19, 2000, 9:30 am. Hearing Room 6. Executive session.

To be considered - HJR 45, HR 4

MISSOURI TOBACCO SETTLEMENT

Wednesday, January 19, 2000, 8:00 am. Hearing Room 3.

To be considered - HB 1506

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1078, HB 1093, HB 1147, HB 1180, HB 1193, HB 1194

PUBLIC HEALTH

Wednesday, January 19, 2000, 8:30 am. Hearing Room 7.

To be considered - HB 1178, HB 1197, HB 1199

TRANSPORTATION

Wednesday, January 19, 2000, 3:00 pm. Hearing Room 6.

To be considered - HB 1096, HB 1363, HJR 41

WAYS AND MEANS

Tuesday, January 18, 2000, 3:00 pm. Hearing Room 6.

Organizational meeting. Presentations by OA, Dept. of Revenue, State Tax Commission.

HOUSE CALENDAR

EIGHTH DAY, TUESDAY, JANUARY 18, 2000

HOUSE BILLS FOR SECOND READING

HB 1510 through HB 1559

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

EIGHTH DAY, TUESDAY, JANUARY 18, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

God of creative power, fill these women and men you've gathered with all the creative impulses necessary for their work today. In the shadow of their deliberations help them sense the presence of all those they serve, both those who are graced with plenty, and also those who suffer want; those whom society holds up for adulation, and those whom our culture tends to abandon. May the laws they prepare to enact, help to build up all the people of Missouri. And God, help them to continue to experience their work for us all as adventure and discovery, uncovering and building an even happier state in matter and spirit. Bless and help them, Your sons and daughters, today, and all days, world without end. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lauren Decker, Erin Pohl, Kristin Merlo, Katie Hooper, Sarah Coyne, Brian Light and Jessica Light.

The Journal of the seventh day was approved as corrected by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Phillips	Pouche
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby

Shelton	Shields	Skaggs	Smith	Stokan
Surface	Thompson 72	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 005

Blunt	Hanaway	Lograsso	Patek	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 008

Dolan	Kasten	Kelley 47	Liese	Robirds
Summers	Thompson 37	Williams 121		

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 76 - Representative Patek
 House Resolution No. 77 - Representative Ransdall
 House Resolution No. 78 and House Resolution No. 79 - Representative Hartzler (124)
 House Resolution No. 80 - Representative Howerton
 House Resolution No. 81 - Representative Legan
 House Resolution No. 82 - Representative Relford
 House Resolution No. 83 - Representative Tudor
 House Resolution No. 84 - Representatives Scheve and Enz

SECOND READING OF HOUSE BILLS

HB 1510 through **HB 1559** were read the second time.

COMMITTEE CHANGE

The Speaker submitted the following committee change:

Representatives Bray, Williams (121), Summers and Elliott have been appointed to the committee to escort the Governor to the dais in Joint Session on Wednesday, January 19, 2000.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 8, introduced by Representative Patek, urging the United States Congress to enact legislation that would eliminate the inconsistencies imposed by the disciplinary provisions of the Individuals with Disabilities Education Act.

HCR 9, introduced by Representative May (108), et al, relating to the outdoor advertising industry in Missouri.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 59, introduced by Representative Gratz, relating to taxation.

HJR 60, introduced by Representatives Pryor, Pouche, Scott and Patek, et al, relating to highways and transportation.

HJR 61, introduced by Representatives Van Zandt, Gaw, Harlan, Backer, Scheve, Boucher and Lakin, et al, relating to the tobacco settlement trust fund.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1560, introduced by Representatives Schilling and Hosmer, relating to public safety offenses.

HB 1561, introduced by Representatives Carter, Riback Wilson (25), Shields, Patek and Graham (24), relating to sheltered workshops.

HB 1562, introduced by Representative Treadway, relating to amusement machines.

HB 1563, introduced by Representative Patek, relating to career ladder plans for teachers.

HB 1564, introduced by Representatives Riback Wilson (25), Graham (24) and Champion, relating to the division of mental retardation and developmental disabilities.

HB 1565, introduced by Representative Hartzler (123), relating to income tax relief for disabled veterans.

HB 1566, introduced by Representative Bray, relating to tax relief in distressed communities.

HB 1567, introduced by Representative Bray, relating to state income and sales tax assessments.

HB 1568, introduced by Representatives Riback Wilson (25) and Holand, relating to blood tests of pregnant women.

HB 1569, introduced by Representatives Bray, Hickey, Riback Wilson (25), McLuckie, Fraser, Schilling, Foley and Backer, et al, relating to discriminatory wage practices.

HB 1570, introduced by Representative Boucher, relating to tax credits.

HB 1571, introduced by Representatives Schilling and Fitzwater, relating to minors and drivers' licenses.

HB 1572, introduced by Representatives Hanaway and Hosmer, relating to the statute of limitations on certain tort actions.

HB 1573, introduced by Representatives Hanaway and Hosmer, relating to claims against certain licensed professionals.

HB 1574, introduced by Representatives Ladd Stokan, Hosmer and Fraser, relating to medical treatment facilities.

HB 1575, introduced by Representatives Hosmer, Schilling, May (108) and Kreider, relating to juror pay.

HB 1576, introduced by Representative Patek, et al, relating to emergency vehicles.

HB 1577, introduced by Representatives Patek and Hendrickson, et al, relating to the state transportation department.

HB 1578, introduced by Representatives Shelton and Troupe, relating to minority teaching scholarships.

HB 1579, introduced by Representative Hoppe, relating to liquor licenses.

HB 1580, introduced by Representatives Hoppe and Smith, relating to the appointment of certain judicial personnel.

HB 1581, introduced by Representative Froelker, relating to public safety offenses.

HB 1582, introduced by Representative Froelker, relating to the tort victims' compensation fund.

HB 1583, introduced by Representative Froelker, relating to income taxation.

HB 1584, introduced by Representative Rizzo, relating to health care coverage for certain former public officials.

HB 1585, introduced by Representatives Hosmer, Kissell, Barnett, Alter and O'Toole, relating to the training and certification of peace officers.

HB 1586, introduced by Representatives Pryor, Patek, Pouche, Myers and Naeger, et al, relating to the emergency bridge repair and replacement fund.

HB 1587, introduced by Representative Patek, et al, relating to unlawful crossing of the median.

HB 1588, introduced by Representatives Ostmann, Patek, Scott and Pryor, et al, relating to certain funds used by the department of transportation.

HB 1589, introduced by Representatives Gross and Dolan, relating to state aid for public schools.

HB 1590, introduced by Representative Backer, relating to public employee disclosures to the state auditor.

HB 1591, introduced by Representative Backer, relating to nursing home administrators.

HB 1592, introduced by Representatives Liese, Elliott and Auer, relating to nonprobate transfers.

HB 1593, introduced by Representative Liese, relating to termination of health insurance coverage for state employees.

HB 1594, introduced by Representative Loudon, relating to interference with child custody.

HB 1595, introduced by Representative Auer, relating to taxation of financial institutions.

HB 1596, introduced by Representative Auer, relating to insurance companies.

HB 1597, introduced by Representative Auer, relating to surplus lines insurance.

HB 1598, introduced by Representatives Monaco and Bonner, relating to eluding a law enforcement official.

HB 1599, introduced by Representatives Riley, Gaw, Monaco, Curls, Auer, Lakin and Boykins, et al, relating to the seniors teaching students program.

HB 1600, introduced by Representatives Gaw, Van Zandt, Scheve, Crump, Harlan, Murray and Davis (63), et al, relating to the tobacco settlement trust fund.

HB 1601, introduced by Representatives Leake, Williams (159), Clayton, Barnett, Koller, Myers, Wiggins and Gaw, et al, relating to fuel requirements.

HB 1602, introduced by Representatives Leake, Wiggins, Clayton, Koller, Williams (159), Myers and Overschmidt, et al, relating to livestock sale regulation.

HB 1603, introduced by Representatives O'Connor, Gratz, Hilgemann, Relford, Patek and Hickey, et al, relating to motor vehicle franchise practices.

The following member's presence was noted: Liese.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Wednesday, January 19, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventh Day, Monday, January 17, 2000, pages 74 and 75, roll call, by showing Representatives Elliott and Hosmer voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 19, 2000. Hearing Room 6 upon adjournment. Wrap-up.
AMENDED NOTICE.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 20, 2000. Hearing Room 6 upon adjournment. Wrap-up.
CANCELLED.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 19, 2000. Hearing Room 5 upon adjournment.
Dept. of Economic Development.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 19, 2000. Hearing Room 3 upon adjournment.
Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 25, 2000. Hearing Room 3 upon adjournment.
Public testimony from the Dept. of Corrections and Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 26, 2000. Hearing Room 3 upon adjournment.
Dept. of Social Services.

BUDGET

Thursday, January 20, 2000, 8:30 am. Hearing Room 3.
Committee orientation and FY 2000 Budget overview

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 19, 2000, 3:00 pm. Hearing Room 1.
To be considered - HB 1208, HB 1215, HB 1220, HB 1222, HB 1240

CRIMINAL LAW

Wednesday, January 19, 2000, 8:00 pm. Hearing Room 7.
To be considered - HB 1155, HB 1169, HB 1225, HB 1239, HB 1262, HJR 51

EDUCATION - HIGHER

Wednesday, January 19, 2000, 3:00 pm. Hearing Room 5.
To be considered - HB 1161, HB 1179

INTERIM JOINT COMMITTEE ON HAZARDOUS WASTE FUND

Wednesday, January 19, 2000, 8:00 am. Hearing Room 1.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 19, 2000, 9:30 am. Hearing Room 6. Executive session.

To be considered - HJR 45, HR 4

MISSOURI TOBACCO SETTLEMENT

Wednesday, January 19, 2000, 8:00 am. Hearing Room 3.

To be considered - HB 1506

PUBLIC HEALTH

Wednesday, January 19, 2000, 8:30 am. Hearing Room 7.

To be considered - HB 1178, HB 1197, HB 1199

SUBCOMMITTEE ON LEGISLATIVE RESEARCH AND OVERSIGHT

Thursday, January 20, 2000, 9:00 am. Hearing Room 4.

Presentation of Oversight reports.

TRANSPORTATION

Wednesday, January 19, 2000, 3:00 pm. Hearing Room 6.

To be considered - HB 1096, HB 1363, HJR 41

UTILITIES REGULATION

Thursday, January 20, 2000, 8:30 am. Hearing Room 6.

Public Service Commission address from Commissioner Shelia Lumpe.

HOUSE CALENDAR

NINTH DAY, WEDNESDAY, JANUARY 19, 2000

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 8 and HCR 9

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 59 through HJR 61

HOUSE BILLS FOR SECOND READING

HB 1560 through HB 1603

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

NINTH DAY, WEDNESDAY, JANUARY 19, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Almighty God, Source of all good, give us grace to measure our deliberations aright this day. Send a spirit to teach us Your deeper truth, and guide our House's actions in Your way of justice and peace. Inspire these women and men with the best of intentions and continue to help them to put them into practice.

May this august body and the Senate of our State, in agreement or disagreement, be attentive to the message of the Governor. Help all in these two Houses to be open and receptive to Your loving will, creative God, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Hope Nordyke and Zachary Nordyke.

The Journal of the eighth day was approved as corrected.

RESOLUTION

Representative Crawford offered House Resolution No. 91.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 85 through House Resolution No. 90 - Representative McClelland
House Resolution No. 92 through House Resolution No. 95 - Representative Richardson
House Resolution No. 96 and House Resolution No. 97 - Representatives Bartelsmeyer, Gaskill and Berkstresser
House Resolution No. 98 - Representatives Hohulin and Elliott
House Resolution No. 99 - Representatives Bartelsmeyer and Miller
House Resolution No. 100 - Representative Miller
House Resolution No. 101 - Representative Ross
House Resolution No. 102 - Representatives Ridgeway, Reinhart, Phillips, Pouche, Skaggs, Lakin and Fitzwater
House Resolution No. 103 - Representative Davis (122)

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 8 and **HCR 9** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 59 through **HJR 61** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1560 through **HB 1603** were read the second time.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 2**. Senators Quick, DePasco, Scott, Mathewson, Jacob, Howard, Russell, Bentley, Mueller and Sims.

Representative Crump moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 158

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Boucher	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan
Summers	Surface	Thompson 72	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bonner Kasten Kelley 47 Robirds Thompson 37

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Wilson, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present.

AYES: 032

Bentley	Bland	Caskey	Childers	Clay
DePasco	Ehlmann	Flotron	Goode	Graves
House	Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Russell	Schneider	Scott
Sims	Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Singleton

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present.

AYES: 158

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Boucher	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schilling

Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan
Summers	Surface	Thompson 72	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bonner	Kasten	Kelley 47	Robirds	Thompson 37
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The Doorkeeper announced the approach of the Governor of the State of Missouri, The Honorable Mel Carnahan. The Governor was duly escorted to the House Chamber and to the Speaker's dais, where he delivered the following message to the Assembly in the Joint Session.

**STATE OF THE STATE ADDRESS
BY
GOVERNOR MEL CARNAHAN**

January 19, 2000

Mr. President, Mr. Speaker, Mr. President Pro Tem, Distinguished State Officials, Mr. Chief Justice, Members of the State Supreme Court, Members of the 90th General Assembly, and Citizens of the State of Missouri:

INTRODUCTION

After I finished my service in the Air Force, Jean and I moved back to Missouri so I could attend law school at the University of Missouri in Columbia.

Our first home was a small one near the Fairgrounds.

And at that time, when the Boone County Fair was going strong, if it was a hot day and the wind was in the right direction, the air around our house could become pretty strong as well.

But that's a whole other story.

The contractor who built our house had purchased the material to construct a series of houses—all in a row and all the same design.

However, since our house was the last in the series to be built, it was cobbled together with the leftover scraps.

The flooring boards were all different sizes.

The bathroom tile and kitchen cabinets were also mix and match, so let's just say, those two rooms had their own unique character.

And the trim and the hardware in the house did not even come close to matching.

But the most distinctive feature of the house was one we first discovered on the day we arrived.

The way our home was designed, the garage was supposed to lead into a laundry room that led to the rest of the house—except it didn't.

The contractor had never finished the job.

There was no door.

The steps in the garage, which were supposed to connect to the laundry room, led right up to a solid wall.

Over the next three days and nights, while Jean and I slept with our baby boy Randy on the floor waiting for our furniture to arrive, we had plenty of time to discuss what we were going to do about this problem.

But when the furniture movers arrived, our problem was solved.

When the last piece of furniture was off the truck, the mover found a door.

Now none of us had any idea where that door came from, but when the mover asked us if we wanted it, we certainly accepted.

Then I got out my tools, and after a lot of work with a hammer and saw, I managed to cut a hole in the wall, build a frame for the door, and actually hang the door.

Now with my limited carpentry skills, this task was no mean feat.

In fact, the first time that I tried to hang that door, I put the hinges in wrong, and the door fell right out of its frame.

I'm sure it looked like a bad episode from "Tool Time."

But when the job was finally finished, and we could approach the door with every confidence that it would not only open properly but not fall on any of us in the process, I was quite proud of my handiwork.

I tell you this story because I believe it illustrates why we are here as public servants on behalf of the citizens of the State of Missouri.

For the past seven years, our administration has worked with you to open doors for Missourians.

Sometimes, it was just a matter of a little oiling and planing to make the doors work properly.

Other times, we had to take the door out and start over.

And on some occasions, just like in the case of Jean and my first house, we began at square one and put in a door where one didn't exist before.

However, because of what we have been able to accomplish...because of the doorways we built and the new opportunities we created...Missourians are now better educated, healthier, and safer than they were when we started.

ECONOMY

Any builder will tell you that in order for doors to open properly, you must begin with a solid foundation.

For our state, that foundation is a strong economy.

Through our responsible fiscal management and aggressive economic development efforts of the past seven years, we have built that foundation.

Certainly, Missouri faces some difficult economic challenges.

Most urgent among them is the crisis confronting our family farmers and our entire agricultural sector.

But overall, our state's economy remains strong.

Since 1993, we have helped to create a net total of more than 365,000 new jobs for Missourians.

And remember that seven percent unemployment in 1993?

Today Missouri's unemployment rate is 2.3 percent--the lowest in thirty years.

Another positive development for Missourians since 1993 is what has happened to median income.

The median income of Missouri families has risen 11.4 percent in real terms since 1993.

And we have achieved all this while keeping our own house in order.

We've kept our state debt very low, and we continue to be one of only a handful of states with a triple A bond rating from all major rating agencies.

Furthermore, we've succeeded in providing meaningful tax relief for Missouri's working families.

Seven years ago, to help give our young people a better education, taxes were raised on higher income earners.

Then we were able to get to work on cutting taxes.

The cutting began in 1994 and 1996.

And we really got moving in 1997, 1998, and 1999.

Among other things, we cut personal income taxes several times and eliminated the general state sales tax on food.

We also cut the franchise tax and exempted small businesses entirely.

Some of our tax cuts from last year are just now kicking in.

When they do, we will have provided approximately \$650 million in permanent tax cuts since 1994, and a net decrease in taxes of more than 300 million dollars since the beginning of this administration.

Your association—the bipartisan National Conference of State Legislatures—recently noted that because of the tax cuts we passed in 1999, Missourians will receive the third largest tax cut in the nation this year.

Last year, we provided Missourians with the second largest tax cut in the nation.

And the year before that, Missourians received the ninth largest tax cut in the country.

That is a remarkable record, and we did it all while still being able to increase resources for our schools, expand services to senior citizens, improve access to quality health care—particularly for our children—and meet other crucial challenges and responsibilities.

Is it any wonder that Missouri received national recognition last year when *Governing Magazine* gave our state the highest grade in a landmark study of state government management practices?

We were one of only four states to receive this honor.

Our challenge now is to sustain this strong economy and ensure that all areas of the state benefit from this economic growth.

We are well positioned to do both.

With your help, over the past few years, we have put into place some of the most creative and aggressive economic development tools anywhere in the nation.

And we are seeing dramatic results.

Significant job growth and job retention.

A growing high-tech industry spurred by new seed capital.

Major development projects that not only generate new business, but preserve the unique historic character of our downtowns and neighborhoods as well.

And job training programs that will guarantee we have a competitive workforce for the 21st century marketplace.

Initiatives such as our historic preservation tax credit, distressed communities program, and neighborhood preservation act have brought tremendous statewide benefits.

And in our urban areas, these initiatives are generating a true renaissance.

This is important for all Missourians because the urban centers are major economic engines that help provide sustained prosperity throughout Missouri.

EDUCATION

As my first official act as Governor back in 1993, I opened the doors of the Governor's Office to a group of 80 elementary students.

I wanted to send a clear message to all Missourians that the education of our young people would be our administration's top priority.

I told those students that we would be doing everything possible to give them the educational resources they needed to succeed in the years ahead and that we would be doing something never done in the history of education in Missouri.

And now we are seeing the positive results of our effort.

Our improvements begin at our children's earliest age—those years that research now confirms are critical to their future success.

As a result of our early childhood care and education initiative two years ago and stronger investment in other early childhood programs, we are now greatly increasing the access of Missouri families to quality child care programs for their young children.

Our Outstanding Schools Act, which I signed into law my first year in office, has made a tremendous impact in classrooms across Missouri.

Thanks to its improved way of distributing school funding, emphasis on technology, new performance standards, tough accountability measures, and other initiatives, education in Missouri is taking important steps forward.

Since 1993, we have reduced class sizes in our lower grades.

The number of kindergartners now enrolled in full time programs has increased by 137 percent.

The number of schools offering summer school has increased by 165 percent.

Dropout rates for Missouri students have gone down, and graduation rates have climbed.

And we have connected 97 percent of the school districts in Missouri to the Internet.

These are real demonstrations of progress that our schools can take pride in having achieved.

Another program from the Outstanding Schools Act which is greatly benefiting Missouri students is our A-Plus Program.

If students complete our A-Plus curriculum successfully, they can attend a Missouri public community college, state technical college, or adult program at an area vocational school for two years and have their tuition and books fully paid.

One of the many students to benefit from this innovative program is Patrick Cox from my hometown.

Patrick was a member of the first class to complete the A-Plus curriculum at Rolla High School.

A-Plus helped him attend State Fair Community College in Sedalia.

Now a junior business management major at the University of Missouri in Columbia, Patrick feels those two years of personal and academic growth at State Fair gave him a leg up in succeeding at the University.

He also was greatly influenced by the 50 hours of mentoring he was required to complete as a part of the A-Plus curriculum.

Patrick mentored elementary and junior high at-risk students in the Rolla school system.

He gained such personal satisfaction from that experience that he spent ten weeks this past summer working with troubled boys at the Boys and Girls Town in St. James.

At this time, I would like to ask him to stand so you can all meet this fine young man.

To continue our significant progress in education, I am proud to recommend that once again our school foundation formula be fully funded.

I also want to see more of our teachers become National Board Certified teachers.

We currently have only 29 nationally certified teachers in our entire state.

Under my plan, we will pay the application fees for the certificate and the cost for substitute teachers' pay so we can prepare 100 new teachers to become nationally certified.

Keeping Missouri students safe has been another major objective of our administration.

Under our Safe Schools Act of 1996, we will continue to offer school district grants, which they can tailor to make their schools a more secure environment for students.

This legislative session I want to build on this progress by asking the legislature to approve several recommendations that were made by the School Violence Task Force I appointed last year.

One step we need to take is clarifying the definition of gun-free school zones for our school districts.

A gun-free school zone should exist in any school setting--on the school bus or playground or at an extracurricular activity.

Our penalties for making false bomb threats should be expanded to include any threat to harm students and school property.

We also need to put stronger laws on the books to keep our children safe from dangerous firearms.

How many times have we picked up the paper to read about young children who harmed a playmate or suffered personal injury themselves because a loaded firearm was readily available?

To prevent more of these tragedies, I am proposing legislation to require that every new handgun sold in our state must be sold with a child safety lock.

While we are working to create a safe environment for our students, we've also got to do more to reduce violent behavior in the first place.

Specifically, we must do more to build character and personal strength in our young people—to instill respect and a sense of community—to prepare our children to be the leaders of tomorrow.

Incidents such as the Columbine shooting in Colorado or bomb threats here in Missouri should not happen.

But to prevent them, we have to teach our children to respect each other and to know right from wrong. That responsibility rests primarily with parents.

However, all of us have a role to play in helping our children build character and become responsible adults.

Our recently released School Violence Task Force report recommends several concrete steps we can take immediately to reduce violent behavior and build character among our young people.

Those recommendations include:

---teaching our children the social skills they need to get along with each other and respect one another;

---and creating opportunities for children to use peer mediation and conflict resolution;

---and incorporate anti-drug, anti-violence, and anti-gang messages in their every day lives;

Most of these recommendations revolve around the classroom.

While decisions about curriculum should be made at the local level, I strongly encourage communities to seriously consider implementing these recommendations, which I strongly endorse.

Together, we can make a real difference in our children's lives.

We can build the character and moral stamina they need to grow into decent, honest adults.

URBAN SCHOOLS

Certainly, one of our biggest challenges will be helping our two largest urban school districts in St. Louis and Kansas City to improve.

Last October, our State Board of Education advised both districts that they were going to move into unaccredited status because they are not meeting crucial academic performance standards.

For more than two decades, these districts have been under the control of the federal courts, who directed billions of dollars to the two districts with no accountability taking place.

Now, finally, that is no longer the case.

This administration and Attorney General Jay Nixon have been able to accomplish what previous administrations and attorneys general could not—convincing the federal courts that they should return local control of the school districts to local leadership.

We did this two ways.

First, we were able to develop and establish new lines of communication in the community and bring together those who understood the importance of a successful public school system to these urban areas.

Second, our Department of Elementary and Secondary Education, under the leadership of Commissioner Bartman, together with the State Board of Education, under the leadership of Peter Herschend, formulated an urban education plan which demands accountability and high standards.

It is their work which the court recognized in its order November 17, 1999, when it stated one of its reasons for restoring “state and local authorities to the control of the Kansas City School District.”

And so, as we begin the 21st century, we can all focus on education, not litigation.

We should give the law and the new accountability measures time to do their jobs.

With the courts moving out of the way, the state is working aggressively to help those districts repair their long-standing and long-neglected problems.

Our Department of Elementary and Secondary Education has been working closely with both the Kansas City and St. Louis school districts to help them improve their academic performance and meet the requirements of the new standards within two years.

The two school districts have recently announced preliminary school improvement plans, taken steps to downsize their central office bureaucracies, and established direct lines of communication with their building principals—all key steps to progress.

In both districts, state education officials are identifying and assigning expert teachers to work directly with principals and teachers to introduce “best practices” from other schools.

Some people have declared that a state of emergency has suddenly arisen because the two urban districts are not meeting the new standards.

The reality is that the emergency in urban education has existed for many years, and the lack of accountability during the period of court control has made the problems worse.

Now, with our new standards in place, the problems are finally being measured.

And with the courts moving out of the way, we can finally hold those districts accountable for results—like we are doing in the rest of Missouri.

TOBACCO SETTLEMENT

The national tobacco settlement provides us with new opportunities to improve the health of future generations of Missourians.

While yesterday's court decision may be good news, all litigation is not finally resolved.

And it is unclear whether the federal government will attempt to recover part of these funds.

But we must be prepared to receive and use these funds effectively and appropriately when they do begin to arrive.

That means we need to have a plan in place, and that plan must be sent to a vote of the people if we are to ensure that the settlement is not tied up in further lengthy litigation.

I believe we should establish a Trust Fund to set aside the tobacco settlement money and require clear accountability for the use of the funds.

I believe that these funds would be most appropriately used for health care; smoking prevention efforts; health research that will prevent or cure diseases such as cancer and heart and lung disorders; early childhood education and care; and helping senior citizens pay the spiraling costs of prescription drugs.

And I believe that most Missourians would agree.

So I am asking you to authorize a ballot issue that would establish a trust fund to set aside the tobacco settlement funds and designate these specific uses for this new source of state money.

CHILDREN

Together we have worked hard to open doors for those who are unable to open them on their own—our children.

Some of this progress is the result of our work on increasing access to health care and better child abuse prevention efforts.

Because of the emphasis we have placed on seeing that our youngest citizens are immunized, today almost 86 percent of Missouri 2-year-olds have received this protection from harmful diseases.

Missouri has jumped from 49th in the nation to seventh place today on this important measure.

Probably one of the greatest days for me as Governor was when we worked together to provide access to health insurance for the thousands of Missouri children who were uninsured.

Thanks again, Senator Quick.

Now as a result of our efforts, over the past 18 months, we have been able to extend health care coverage to over 56,000 of these formerly uninsured children.

Two of those children and their parents are here with us today—Kayla and Kyle Miller and their parents, John and Lisa.

This family is from Potosi.

John and Lisa have always worked hard to support their family.

But their wages have not always made it possible for them to pay for health insurance for their children.

Today, Lisa is the MC-Plus Coordinator for Washington County, and her children have health insurance, thanks to MC-Plus.

Kayla was finally able to get the dental care she desperately needed, and Kyle, who was having some problems with his school work because of vision problems, finally got glasses and is now doing well.

Just recently, John got a promotion at his job, and now the children will be moving to the co-pay group of MC-Plus For Kids.

But as Lisa says,

“I no longer have to tell the kids we don’t have the money to take them to the doctor and stay awake nights praying their pain and sickness will go away.”

Please help me welcome John and Lisa Miller and their children Kayla and Kyle.

To build on our past record of protecting the lives of children, I will be urging you this legislative session to take action on several priorities of the Child Fatality Task Force, which I appointed last spring.

One of those is to put one of the most stringent laws in the nation on the books to stem the flow of child pornography on the Internet.

Our state definition of what constitutes child pornography will be brought up to date by including computer data, computer generated images, digital camera images or pictures, and visual depictions.

We propose enhancing the penalty for those who attempt to sell or produce child pornography to a sentence which would range from 10 to 30 years to life in prison.

In addition, the penalty for the possession of child pornography would be increased.

Our initiative also defines a new crime—furnishing pornography to a minor—which will be considered a Class A felony.

Thanks to legislation approved over the last three years, Missouri now has one of the strongest sexual predator laws in the country.

But this session, we need to add new provisions to protect our children.

Our proposal would allow the crimes of sexual assault, child molestation, and sexual abuse to be used in charging someone as a sexual predator.

METH

Another initiative I propose that the General Assembly adopt this session would increase the punishment for those who manufacture the dangerous drug methamphetamine around children.

We already have one of the toughest “meth” laws in the country—a model being used in other states and one that Congress is trying to emulate.

However, this year, I would like to see us expand on our work so we can offer protection to the children who are forced to live in the middle of these drug dens.

One of the horror stories that law enforcement officers have discovered while waging our war on “meth” is that some of those who manufacture this sinister substance do so at home with their children present.

I urge you to create the crime of unlawful drug transactions with a child—with a potential penalty of life in prison.

CRIME

Although our administration has been committed to opening doors to new opportunities for Missourians over the past seven years, we have tried to slam some doors shut as tight as possible—prison doors.

Thanks to your help with this effort, our most dangerous criminals are now serving an average of ten years longer than they did under the previous law.

The most violent juvenile offenders who commit adult crimes are now receiving adult sentences.

Sexual predators can now be given life sentences with a mandatory minimum of thirty years before ever being eligible for parole.

And victims are now receiving more support and assistance than under any other administration in Missouri’s history.

These changes, in addition to greatly increased law enforcement training and resources, are having the desired effect.

The violent crime rate which was headed upward in 1992 has been reversed.

Since that time, Missouri’s violent crime rate has decreased by over 26 percent.

To continue our efforts to improve safety and fight crime, this year I am asking your help in cracking down on one of the major causes of deaths and injuries in our state—drunken drivers.

Under the terms of our proposal, the legal blood alcohol content level for drivers of vehicles and boats will be lowered from .10 to .08.

The maximum jail time for a first offense will be increased from six months to one year.

We will also establish a new crime defined as aggravated driving with excessive blood alcohol content for drivers who risk the lives of others by getting behind the wheel with a blood alcohol content of .15 or greater.

Another area of our DWI law which particularly cries out for reform is the way we deal with repeat offenders.

Right now, drunken drivers that put the lives of you and your loved ones at risk can have three prior convictions before they can be convicted of a felony.

I propose those who have a blood alcohol content of .15 or above should receive a felony conviction on the first offense.

And there will be no more escapes for those first-time offenders who are given suspended impositions of sentence for driving under the influence.

That possibility will be gone.

I would also propose that our Boating While Intoxicated laws parallel the DWI laws.

I realize these are extremely tough new provisions, but when you think about one American dying every thirty-two minutes because of an alcohol-related crash or someone being injured every two minutes because of alcohol impaired drivers, tough is what we need to be.

SENIOR CITIZENS

Another door that must be opened wider over the next few years in our state is the one that offers service to seniors.

We rank 12th nationally in the percentage of our population that is age 65 or older.

And projections tell us that by the year 2020, one fourth of our entire state population will be seniors.

From the beginning of our administration, helping seniors achieve the best quality of life possible has been a top priority.

This year, we want to take new steps to assure the quality of care for our elderly and protect them from abuse.

We already have a Long Term Care Ombudsman Program with 345 volunteers visiting our nursing homes and residential care facilities.

Sad as it is to say, most elder abuse occurs at home. We want to establish a new In-Home Ombudsman Program so volunteers can report those incidences of abuse or neglect that are taking place in home settings.

We also want to provide grants to medical schools and other organizations that educate health care professionals for the development of courses and educational materials on elder abuse.

And we will start four new pilot projects called Aging In Place.

The goal of these projects is to enable elderly individuals to remain in their homes and communities as long as possible by delaying or avoiding the need for institutional care through case management and in-home services.

TRANSPORTATION

For the last three years, I have urged Republicans and Democrats to work together with me in opening the door to major improvements in our state transportation system.

We must continue that effort.

Our transportation infrastructure is crucial to our state's economic well being.

But so far, we have been unable to reach consensus on how to move forward.

Consensus is crucial because the reality is that we are either going to move forward together, or we're not going to be able to move forward at all.

Fiscal responsibility is also crucial.

We must develop a plan that will not burden future generations with debt and will not endanger our state's solid bond rating.

But if we work together, we can find a solution, and I remain committed to working with you to do so.

AGRICULTURE

One of the doors we must fight—and fight hard—to keep open leads to new hope for our sagging farm economy.

Low prices at the market and severe weather conditions in many areas have been a devastating combination for Missouri citizens who are trying to make a living by farming.

I want to provide additional resources for our Department of Agriculture to help farmers better market their products and adopt innovative alternatives to traditional agricultural practices.

I am calling for a stronger investment in our Rural Economic Assistance Program to assist rural communities.

And I have called for the immediate formation of a Farm Crisis Response Task Force to review and identify current state and federal resources and regulations to assess how we may be able to help the plight of our family farmers.

CONCLUSION

Since this will be the last time I will come before you in this public setting, I want to thank you, the members of the Missouri General Assembly, for all we have been able to accomplish.

While we have made significant progress together, our work is far from finished.

I have outlined an ambitious agenda for this session, and we owe all Missourians our best efforts.

Before I leave this dais, I want to recognize some others as well.

I want to thank my family for their constant love and support—and particularly my wife Jean, a First Lady who is truly remarkable.

I want to thank our team of statewide elected officials for being just that—a team.

And I want to thank our cabinet.

I also want to give a very special thank you to another team—my staff--both past and present.

No Governor could be more blessed.

To our state workers who give their all every day to provide better service for this state—a big thank you to you.

Once again, I am recommending marketplace salary increases for our state employees.

The average state employee will receive approximately a four percent increase.

And finally, my thanks to the people of the State of Missouri.

Now before I leave this chamber, I want to introduce you to several excellent reasons why we entered public service and why we continue to serve.

These are members of the Tiger Pre-School in Lamar, and they are accompanied by the director of the facility, Colleen Ratcliff.

Tiger Pre-School serves 20 children in the morning and 20 in the afternoon and collaborates with the local Head Start Program to provide services to an additional 10 children.

It is linked with the Lamar school system and is located right across from the middle school.

Because the school district provides funding for professional development under a curriculum training program called Project Construct, Tiger Pre-School is helping to coordinate its services with the other two pre-schools in town and the local Head Start Program.

This is an important first.

But Tiger Pre-School is a first in itself.

The students who attend here would not be receiving early childhood care and education if it weren't for Tiger Pre-School.

And Tiger Pre-School would not be there if it had not been for the support of many of you.

Tiger Pre-School is one of the first new facilities to be established, thanks to House Bill 1519, which expanded our state's early childhood and education programs.

So now I want you to meet this fine group of youngsters who came all the way from Lamar to do a song that they've learned for you.

Ladies and gentlemen, here is our future.

In these eyes rests the vision of dreams unseen.

In these hands lie achievements yet to be realized.

And in these hearts burns the hope of a better Missouri to come.

May the Almighty guide our words and deeds in the days ahead as we go about our business...preparing the way for Missouri's children...by opening doors to a new century.

Thank you.

The Joint Session was dissolved by the Lieutenant Governor.

Speaker Gaw resumed the Chair.

COMMITTEE REPORT

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 4

WHEREAS, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

WHEREAS, the Jefferson City Downtown Rotary Club has sought to instill values of high integrity within our youth and to provide an opportunity for Missouri students to experience state government firsthand; and

WHEREAS, the General Assembly has maintained a policy of granting such organizations permission to use the House Chamber for beneficial purposes; and

WHEREAS, this year, the Downtown Rotary Club is sponsoring its annual Student Government Day, an event which will be highlighted by a meeting in the House Chambers at our State Capitol, where the students in attendance will be addressed by a representative of each of the three branches of government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, hereby grant the Jefferson City Rotary Club permission to use the House Chamber for the purpose of conducting its Student Government Day on March 20, 2000, from 10:00 a.m. until 11:30 a.m.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 1114, introduced by Representative Franklin, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes and to transfer money among certain funds, from funds designated for the fiscal period ending June 30, 2000.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1604, introduced by Representative Graham (106), relating to the highways and transportation commission.

HB 1605, introduced by Representatives Williams (121) and Sallee, et al, relating to distribution of over-the-counter weight loss pills to minors.

HB 1606, introduced by Representatives Bray and Foley, et al, relating to neighborhood reinvestment.

HB 1607, introduced by Representatives Barry, Murray and Kelly (27), relating to open referral health plans.

HB 1608, introduced by Representative Kreider, relating to the criminal activity forfeiture act.

HB 1609, introduced by Representatives Reinhart, Ridgeway and Kasten, et al, relating to the University of Missouri.

HB 1610, introduced by Representative Reinhart, et al, relating to compulsory age for school attendance.

HB 1611, introduced by Representative Reinhart, et al, relating to family courts.

HB 1612, introduced by Representative Loudon, relating to income taxation.

HB 1613, introduced by Representative Clayton, relating to certain county retirement systems.

HB 1614, introduced by Representatives Berkowitz, Fitzwater, Davis (122), Selby, Britt, Relford, McKenna, Abel and Black, et al, relating to state aid for public schools.

HB 1615, introduced by Representatives Hosmer, Ladd Stokan, Gaw, Barnett, Crawford, McKenna, Britt, Selby, Cierpiot, Backer, Kelly (27) and Dougherty, et al, relating to protection of the elderly.

HB 1616, introduced by Representative Auer, relating to the licensing of insurance producers.

HB 1617, introduced by Representatives Curls, Troupe, Thompson (72), Wilson (42), Boykins, Mays (50), Gunn and Carter, et al, relating to the regulation of check-cashing businesses.

HB 1618, introduced by Representative Lakin, relating to tax relief for senior citizens.

HB 1619, introduced by Representative Smith, relating to environmental protection.

HB 1620, introduced by Representative Auer, relating to multiyear teacher-student groupings.

HB 1621, introduced by Representative Patek, relating to reciprocal certification of teachers from other states.

HB 1622, introduced by Representative Froelker, relating to tax relief for senior citizens.

HB 1623, introduced by Representative Koller, relating to the division of motor carrier and railroad safety.

WITHDRAWAL OF HOUSE BILL

January 19, 2000

The Honorable Steve Gaw
Speaker of the House
State Capitol - Rm. 308
Jefferson City, MO 65101

Dear Steve,

Effective today, January 19, 2000 I'm withdrawing my bill, **House Bill 1504**. The bill relates to livestock.

Thank you.

Sincerely,

/s/ Jewell D. H. Patek

The following member's presence was noted: Bonner.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, January 20, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Eighth Day, Tuesday, January 18, 2000, pages 84 and 85, roll call, by showing Representatives Liese, Summers and Williams (121) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY
Tuesday, January 25, 2000. Hearing Room 1 upon adjournment.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY
Wednesday, January 26, 2000. Hearing Room 1 upon adjournment.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY
Thursday, January 27, 2000. Hearing Room 1 upon adjournment.
Public Defender Commission, Public testimony - Higher Education.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH
Thursday, January 20, 2000. Hearing Room 6 upon adjournment. Wrap-up.
CANCELLED.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS
Tuesday, January 25, 2000. Hearing Room 3 upon adjournment.
Public testimony from the Dept. of Corrections and Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS
Wednesday, January 26, 2000. Hearing Room 3 upon adjournment.
Dept. of Social Services.

BUDGET
Thursday, January 20, 2000, 8:30 am. Hearing Room 3.
Committee orientation. FY 2000 Budget Overview.

EDUCATION - ELEMENTARY AND SECONDARY
Thursday, January 20, 2000, 9:30 am. Hearing Room 5.
To be considered - Executive Session - HJR 43

EDUCATION - ELEMENTARY AND SECONDARY
Tuesday, January 25, 2000, 3:00 pm. Hearing Room 3.
To be considered - HB 1134, HB 1154, HB 1166, HB 1268

ETHICS

Thursday, January 20, 2000. Side gallery, northeast corner upon adjournment.
Caucus approval.

MISSOURI TOBACCO SETTLEMENT

Thursday, January 20, 2000, 9:30 am. Hearing Room 1.
To be considered - Executive Session - HB 1506

SUBCOMMITTEE ON LEGISLATIVE RESEARCH AND OVERSIGHT

Thursday, January 20, 2000, 9:00 am. Hearing Room 4.
Presentation of Oversight reports.

UTILITIES REGULATION

Thursday, January 20, 2000, 8:30 am. Hearing Room 6.
Public Service Commission address from Commissioner Shelia Lumpe.

HOUSE CALENDAR

TENTH DAY, THURSDAY, JANUARY 20, 2000

HOUSE BILLS FOR SECOND READING

HB 1604 through HB 1623

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1114

HOUSE RESOLUTION

HR 4, (1-19-00) - Vogel

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TENTH DAY, THURSDAY, JANUARY 20, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Representative Vicky Riback Wilson.

Prayer for the Country

Sovereign of the universe, mercifully receive our prayer for our land and its government. Let Your blessing pour out on this land and on all people who are occupied, in good faith, with the public needs. Instruct them from Your laws, enable them to understand Your principles of justice, so that peace and tranquility, happiness and freedom, might never turn away from our land.

Please, Wise One, waken Your spirit within all inhabitants of our land, and plant among the people of different backgrounds and faith who dwell here, love and community, peace and friendship. Uproot from their hearts all hatred and enmity, all jealousy and vying for supremacy. Therefore let our land be a blessing.

The Pledge of Allegiance to the flag was recited.

The Journal of the ninth day was approved as printed by the following vote:

AYES: 147

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Boucher	Boykins	Bray 84	Britt	Burton
Campbell	Carter	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Patek	Phillips	Pouche	Pryor	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Ross	Sallee
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Stokan	Summers	Thompson 72	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner

Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 002

Hanaway	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 014

Berkstresser	Bonner	Days	Dolan	Gunn
Kasten	Kelley 47	Murray	Parker	Purgason
Robirds	Scheve	Surface	Thompson 37	

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 104 - Representative Gaw
House Resolution No. 105 - Representatives Thompson (72) and Troupe
House Resolution No. 106 - Representative Purgason
House Resolution No. 107 - Representative Hanaway
House Resolution No. 108 and House Resolution No. 109 - Representative Ward
House Resolution No. 110 - Representative Reynolds
House Resolution No. 111 - Representative Hegeman
House Resolution No. 112 - Representative Dougherty
House Resolution No. 113 - Representative Griesheimer
House Resolution No. 114 - Representative Legan
House Resolution No. 115 and House Resolution No. 116 - Representative Hartzler (124)
House Resolution No. 117 - Representative Lograsso

SECOND READING OF HOUSE BILLS

HB 1604 through **HB 1623** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1114 was read the second time.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 53 - Utilities Regulation
HJR 54 - Missouri Tobacco Settlement
HJR 55 - Transportation
HJR 61 - Missouri Tobacco Settlement

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1227** - Consumer Protection and Housing
- HB 1301** - Ways and Means
- HB 1302** - Ways and Means
- HB 1303** - Local Government and Related Matters
- HB 1304** - Ways and Means
- HB 1305** - Commerce
- HB 1306** - Motor Vehicle and Traffic Regulations
- HB 1308** - Criminal Law
- HB 1309** - Children, Youth and Families
- HB 1310** - Children, Youth and Families
- HB 1311** - Civil and Administrative Law
- HB 1312** - Children, Youth and Families
- HB 1313** - Education - Elementary and Secondary
- HB 1314** - Missouri Tobacco Settlement
- HB 1315** - Motor Vehicle and Traffic Regulations
- HB 1316** - Ways and Means
- HB 1317** - Public Health
- HB 1319** - Children, Youth and Families
- HB 1320** - State Parks, Natural Resources and Mining
- HB 1321** - Correctional and State Institutions
- HB 1322** - Motor Vehicle and Traffic Regulations
- HB 1323** - Critical Issues
- HB 1324** - Children, Youth and Families
- HB 1325** - Utilities Regulation
- HB 1326** - Utilities Regulation
- HB 1327** - Education - Higher
- HB 1328** - Local Government and Related Matters
- HB 1329** - Ways and Means
- HB 1330** - Commerce
- HB 1332** - Ways and Means
- HB 1333** - Ways and Means
- HB 1334** - Children, Youth and Families
- HB 1335** - Education - Higher
- HB 1336** - Public Health
- HB 1337** - Criminal Law
- HB 1338** - Municipal Corporations
- HB 1339** - Transportation
- HB 1340** - Tourism, Recreation and Cultural Affairs
- HB 1341** - Ways and Means
- HB 1342** - State Parks, Natural Resources and Mining
- HB 1343** - Ways and Means

HB 1344 - Commerce
HB 1346 - Ways and Means
HB 1347 - Motor Vehicle and Traffic Regulations
HB 1348 - Elections
HB 1349 - Civil and Administrative Law
HB 1350 - Elections
HB 1351 - Governmental Organization and Review
HB 1352 - Insurance
HB 1353 - Civil and Administrative Law
HB 1354 - Public Health
HB 1355 - Judiciary
HB 1356 - Retirement
HB 1357 - Commerce
HB 1358 - Criminal Law
HB 1359 - Education - Elementary and Secondary
HB 1360 - Ways and Means
HB 1361 - Education - Elementary and Secondary
HB 1364 - Motor Vehicle and Traffic Regulations
HB 1367 - Judiciary
HB 1368 - Miscellaneous Bills and Resolutions
HB 1369 - Labor
HB 1370 - Transportation
HB 1371 - Ways and Means
HB 1372 - Local Government and Related Matters
HB 1373 - Education - Elementary and Secondary
HB 1374 - Judiciary
HB 1375 - Judiciary
HB 1376 - Governmental Organization and Review
HB 1377 - Labor
HB 1378 - Motor Vehicle and Traffic Regulations
HB 1379 - Education - Elementary and Secondary
HB 1380 - Ways and Means
HB 1383 - Labor
HB 1384 - Judiciary
HB 1388 - Judiciary
HB 1389 - Ways and Means
HB 1390 - Ways and Means
HB 1391 - Local Government and Related Matters
HB 1393 - Children, Youth and Families
HB 1395 - Agriculture
HB 1396 - Education - Higher
HB 1397 - Local Government and Related Matters
HB 1398 - Criminal Law
HB 1399 - Motor Vehicle and Traffic Regulations
HB 1400 - Social Services, Medicaid and the Elderly

HB 1430 - Consumer Protection and Housing

HB 1494 - Judiciary

HB 1600 - Missouri Tobacco Settlement

HB 1602 - Agriculture

HB 1615 - Criminal Law

COMMITTEE REPORTS

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **HB 1362**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education - Elementary and Secondary, Chairman Fitzwater reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HJR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Missouri Tobacco Settlement, Chairman Van Zandt reporting:

Mr. Speaker: Your Committee on Missouri Tobacco Settlement, to which was referred **HB 1506**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 10, introduced by Representative Auer, recommending the department of insurance to adopt the "Valuation of Life Insurance Policies Model Regulation".

HCR 11, introduced by Representative Bennett, relating to the School District Trust Fund.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1624, introduced by Representatives Wagner, Kreider, Thompson (72), Ward, Berkowitz, Britt, Riley, McKenna, Gambaro, Fraser, Abel, Curls, George, Selby, Hampton, Wilson (42) and Boykins, relating to assistive technology.

HB 1625, introduced by Representatives Evans, Griesheimer, Chrismer, Gibbons, Gross, Gaskill, Linton, Secrest and Reid, et al, relating to income taxation.

HB 1626, introduced by Representative Evans, et al, relating to veterans' affairs.

HB 1627, introduced by Representative Carter, relating to the duties of the chief information officer of the office of administration.

HB 1628, introduced by Representative Carter, relating to state purchasing procedures for the acquisition of privately produced goods and services within the state which are not produced by the state.

HB 1629, introduced by Representatives Green, Scheve, Reynolds, Bray, Murray, Hanaway, Ladd Stokan, Chrismer and Fraser, et al, relating to tax increment financing.

HB 1630, introduced by Representatives Lawson, Kelly (27) and Shields, relating to grants for tobacco-dependent communities.

HB 1631, introduced by Representative Hoppe, relating to liquor control.

HB 1632, introduced by Representatives Foster, Wright and Hendrickson, et al, relating to state buildings.

HB 1633 introduced by Representatives Kissell, Green, Monaco, Foley, O'Toole and Smith, et al, relating to telemarketing.

HB 1634, introduced by Representatives Kissell, Green, Foley and O'Toole, et al, relating to telemarketing practices.

HB 1635, introduced by Representative Troupe, relating to health insurance.

HB 1636, introduced by Representative Abel, relating to elections.

HB 1637, introduced by Representative Abel, relating to certain campaign information disclosures.

HB 1638, introduced by Representative Gibbons, relating to the burden of proof in tax cases.

HB 1639, introduced by Representative Hollingsworth, relating to highways and transportation commission.

HB 1640, introduced by Representative Ladd Stokan, relating to registration of embryo laboratories.

HB 1641, introduced by Representative Ladd Stokan, relating to the trauma center fund.

HB 1642, introduced by Representative Auer, relating to valuation of life insurance policies.

HB 1643, introduced by Representatives Wiggins and Reid, relating to income taxation.

HB 1644, introduced by Representatives Hagan-Harrell and Franklin, relating to the public school retirement system.

HB 1645, introduced by Representatives Luetkenhaus and O'Connor, relating to traffic regulations for trucks.

HB 1646, introduced by Representatives Smith, Hosmer, Troupe and Kelly (27), relating to transferring the board of probation and parole, and its staff and employees, to the judicial branch of state government.

HB 1647, introduced by Representative Skaggs, relating to capital improvement reserve funds in third class cities.

HB 1648, introduced by Representative Dougherty, relating to confidentiality of records of the division of family services.

HB 1649, introduced by Representatives Williams (121), Fitzwater, Shelton, Crawford, Levin and Boucher, relating to a multicultural program and committee within the office of the lieutenant governor.

HB 1650, introduced by Representatives Akin, Ladd Stokan, Gibbons and Holand, relating to hepatitis A exposure.

HB 1651, introduced by Representative Hoppe, relating to liquor control.

HB 1652, introduced by Representatives Hoppe, Hosmer and Van Zandt, relating to sale of tobacco products to minors.

HB 1653, introduced by Representative Hendrickson, et al, relating to submission of bond issues to the voters.

HB 1654, introduced by Representatives Crawford and Troupe, relating to probation services.

HB 1655, introduced by Representative Wiggins, relating to soil and water conservation districts.

HB 1656, introduced by Representative Wiggins, relating to municipal removal of weeds.

HB 1657, introduced by Representative Hanaway, relating to public libraries.

HB 1658, introduced by Representatives Hanaway, Hollingsworth, Blunt and Wagner, et al, relating to bestiality.

HB 1659, introduced by Representatives Summers and Berkowitz, relating to sales taxes for economic development.

HB 1660, introduced by Representatives Summers, Howerton, Williams (121), Schilling, Kreider, Hosmer, Barnett and Kasten, relating to the establishment of an optional retirement program for certain employees of the regional colleges and universities.

HB 1661, introduced by Representatives Gambaro, Kennedy and Dougherty, et al, relating to liens on real property by political subdivisions for abatement of dangerous buildings.

HB 1662, introduced by Representatives Gambaro, Kennedy, Barry and Dougherty, et al, relating to actions by community groups and housing corporations to abate derelict properties.

HB 1663, introduced by Representatives Gambaro, Kennedy and Fraser, relating to Sunday liquor sales.

HB 1664, introduced by Representatives Scheve and Dougherty, relating to the protection of children.

HB 1665, introduced by Representative Pryor, et al, relating to public safety officers killed in the line of duty.

HB 1666, introduced by Representative Riback Wilson (25), relating to property taxes.

HB 1667, introduced by Representatives Bennett, Hartzler (124) and Blunt, et al, relating to restraining orders for juveniles.

HB 1668, introduced by Representative Bennett, et al, relating to assisted suicide.

HB 1669, introduced by Representative Bennett, et al, relating to limiting certain state requirements for employment.

HB 1670, introduced by Representatives Bennett, Gibbons and Chrismer, et al, relating to sexual misconduct in the second degree.

HB 1671, introduced by Representatives Bennett, Crump, Crawford, McBride, Hampton, Kreider and Akin, et al, relating to firearms regulation.

HB 1672, introduced by Representative Bennett, et al, relating to traffic regulations for trucks.

HB 1673, introduced by Representative Bennett, et al, relating to eligibility for public assistance.

HB 1674, introduced by Representatives Graham (24), Gaw, Wiggins, Kreider, Williams (159), Riback Wilson (25), Leake, Legan, Murray and Kennedy, et al, relating to the marketing of farm products.

HB 1675, introduced by Representatives Riback Wilson (25), Luetkenhaus, Ross, McClelland, Davis (63), Fraser, Kasten, Dougherty, Ostmann, Lakin and Gaw, et al, relating to the reporting of crimes.

HB 1676, introduced by Representatives Riback Wilson (25), Luetkenhaus, Ross, McClelland, Davis (63), Fraser, Kasten, Dougherty and Ostmann, et al, relating to witnesses and detention periods.

HB 1677, introduced by Representatives Riback Wilson (25), Luetkenhaus, Fraser, McClelland, Kasten, Ostmann, Dougherty, Ross, Boucher and Davis (63), et al, relating to domestic violence.

HB 1678, introduced by Representatives Riback Wilson (25), Luetkenhaus, Ostmann, Fraser, Davis (63), McClelland, Dougherty, Ross, Kasten and Lakin, et al, relating to marriage.

HB 1679, introduced by Representatives Scott and Marble, relating to stealing.

LETTER OF RESIGNATION

January 12, 2000

The Honorable Steve Gaw
Speaker of the House
Missouri House of Representatives
State Capitol Building
Jefferson City, Missouri 65101

Dear Speaker Gaw:

This letter will serve as my official resignation as State Representative of the 37th Legislative District, due to personal matters.

Respectfully submitted,

/s/ Vernon Thompson
State Representative

WITHDRAWAL OF HOUSE BILLS

January 20, 2000

The Honorable Steve Gaw, Speaker
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1397** be withdrawn.

Thank you for your attention in this request.

Sincerely,

/s/ Bill Skaggs

January 20, 2000

Anne C. Walker
Chief Clerk-House Administrator
Capitol Building - 306C
Jefferson City, MO 65101

Dear Chief Clerk:

I respectfully request the withdrawal of **House Joint Resolution No. 52**.

Sincerely,

/s/ Catherine L. Hanaway
Representative - District 87

The following member's presence was noted: Days.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, January 24, 2000.

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS SUBCOMMITTEE ON CHILD SUPPORT AND YOUTH SERVICES

Tuesday, January 25, 2000, 8:30 am. Room 313-2. Subcommittee meeting.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, January 25, 2000. Hearing Room 1 upon adjournment.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, January 26, 2000. Hearing Room 1 upon adjournment.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, January 27, 2000. Hearing Room 1 upon adjournment.
Public Defender Commission, Public testimony - Higher Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 25, 2000. Hearing Room 7 upon morning adjournment.
Dept. of Revenue.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, January 24, 2000, 12:00 pm. Hearing Room 5.
Departments of Agriculture, Conservation, Insurance and Labor.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 25, 2000. Hearing Room 5 upon adjournment.

Governor's recommendations, Dept. of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 26, 2000. Hearing Room 5 upon adjournment.

Governor's recommendations, Dept. of Economic Development.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 25, 2000. Hearing Room 3 upon adjournment.

Public testimony from the Dept. of Corrections and Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 26, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services.

**APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS SUBCOMMITTEE
FOR FAMILY SERVICES**

Tuesday, January 25, 2000, 8:30 am. Room 205.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, January 26, 2000, 3:00 pm. Hearing Room 3.

To be considered - HB 1171

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 26, 2000, 7:30 pm. Hearing Room 6.

To be considered - HB 1163, HB 1216, HB 1230

CONSUMER PROTECTION AND HOUSING

Tuesday, January 25, 2000, 8:00 pm. Hearing Room 4.

To be considered - HB 1172, HB 1440, HB 1501, HB 1633, HB 1634

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, January 25, 2000, 8:00 pm. Hearing Room 7. Executive session.

To be considered - HB 1072, HB 1185, HB 1186

CRITICAL ISSUES

Monday, January 24, 2000, 8:00 pm. Hearing Room 3.

To be considered - HB 1086, HB 1386, HJR 42

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 25, 2000, 3:00 pm. Hearing Room 3.

To be considered - HB 1134, HB 1154, HB 1166, HB 1268

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, January 24, 2000, 8:00 pm. Hearing Room 1.

Executive session may follow.

To be considered - HB 1082, HB 1139, HB 1157, HB 1271

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Tuesday, January 25, 2000, 5:00 pm. Senate Committee Rooms 2 and 3.

Joint meeting with members of House and Senate Veterans Committees.

JUDICIARY

Tuesday, January 25, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1100, HB 1280, HB 1294, HB 1300

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, January 25, 2000, 3:00 pm. Hearing Room 7.

Executive session may follow.

To be considered - HB 1131, HB 1229, HB 1238, HB 1284

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 25, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1127, HB 1128, HB 1145, HB 1170

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 26, 2000, 8:00 pm. Hearing Room 5.

To be considered - HB 1241, HB 1242, HB 1266, HB 1287, HB 1291, HB 1293,
HB 1431

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, January 25, 2000, 8:30 am. Hearing Room 6.

To be considered - HB 1254

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, January 25, 2000, 8:00 pm. Hearing Room 6.

To be considered - HB 1136, HB 1202, HB 1260

SUBCOMMITTEE ON APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 25, 2000, 8:00 am. Hearing Room 5.

Program implementation of inspection and maintenance program for automobiles.

WAYS AND MEANS

Tuesday, January 25, 2000, 3:00 pm. Hearing Room 6. CORRECTED NOTICE.

To be considered - HB 1066, HB 1140, HB 1141, HB 1174, HB 1189, HB 1246,
HB 1277, HB 1299, HB 1371

HOUSE CALENDAR

ELEVENTH DAY, MONDAY, JANUARY 24, 2000

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 10 and HCR 11

HOUSE BILLS FOR SECOND READING

HB 1624 through HB 1679

HOUSE BILLS FOR PERFECTION

HB 1506 - Van Zandt

HCS HB 1362 - Harlan

HOUSE RESOLUTION

HR 4, (1-19-00, pgs. 106-107) - Vogel

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

ELEVENTH DAY, MONDAY, JANUARY 24, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, You give us this day.

Keep these men and women of the House, and all who work here with them, in Your care. Help them this day to keep in mind:

The poor, the hurting, those on the edge of society, the prisoner and the addict and those who live with confusion.

Bless this these lawmakers as they worry about the people of Missouri this day that You give to us.

And to You be glory and honor, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amanda Auer and Jennifer Dietz.

The Journal of the tenth day was approved as corrected by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher	Boykins	Bray 84	Burton
Campbell	Carter	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford

Reynolds	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Stokan	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 001

Wright

PRESENT: 000

ABSENT WITH LEAVE: 011

Berkowitz	Britt	Dolan	Elliott	Hanaway
Hollingsworth	Hoppe	Kasten	Mays 50	Richardson
Robirds				

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 118 through House Resolution No. 120 - Representative Gratz
House Resolution No. 121 - Representative Backer
House Resolution No. 122 and House Resolution No. 123 - Representative Dolan
House Resolution No. 124 - Representative Griesheimer
House Resolution No. 125 - Representative McKenna

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 10 and **HCR 11** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1624 through **HB 1679** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1114 - Budget
HB 1401 - Ways and Means
HB 1402 - Agriculture
HB 1403 - Judiciary
HB 1404 - Criminal Law
HB 1405 - Education - Elementary and Secondary
HB 1406 - Education - Elementary and Secondary
HB 1407 - Education - Elementary and Secondary
HB 1408 - Education - Elementary and Secondary
HB 1409 - Education - Elementary and Secondary
HB 1410 - Civil and Administrative Law

HB 1411 - Public Health
HB 1412 - Education - Elementary and Secondary
HB 1413 - Professional Registration and Licensing
HB 1414 - Utilities Regulation
HB 1415 - Utilities Regulation
HB 1416 - Commerce
HB 1417 - Children, Youth, and Families
HB 1419 - Ways and Means
HB 1420 - Children, Youth, and Families
HB 1421 - Civil and Administrative Law
HB 1422 - Public Health
HB 1423 - Ways and Means
HB 1424 - Ways and Means
HB 1425 - Children, Youth, and Families
HB 1426 - Education - Elementary and Secondary
HB 1427 - Motor Vehicle and Traffic Regulations
HB 1428 - Governmental Organization and Review
HB 1429 - Federal-State Relations and Veterans Affairs
HB 1431 - Professional Registration and Licensing
HB 1432 - Motor Vehicle and Traffic Regulations
HB 1435 - Professional Registration and Licensing
HB 1436 - Children, Youth, and Families
HB 1437 - Ways and Means
HB 1438 - Judiciary
HB 1439 - Environment and Energy
HB 1442 - Transportation
HB 1443 - Agri-Business
HB 1444 - Motor Vehicle and Traffic Regulations
HB 1445 - Ways and Means
HB 1447 - Transportation
HB 1449 - Ways and Means
HB 1450 - Social Services, Medicaid, and the Elderly
HB 1451 - Banks and Financial Institutions
HB 1453 - Ways and Means
HB 1455 - Consumer Protection and Housing
HB 1456 - Ways and Means
HB 1457 - Judiciary
HB 1458 - Professional Registration and Licensing
HB 1459 - Critical Issues
HB 1460 - Correctional and State Institutions
HB 1461 - Workers Compensation and Employment Security
HB 1463 - Retirement

HB 1464 - Consumer Protection and Housing

HB 1569 - Labor

HB 1633 - Consumer Protection and Housing

HB 1634 - Consumer Protection and Housing

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1237 - Consumer Protection and Housing

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 12, introduced by Representative Griesheimer, relating to the Sierra Club and the Missouri Coalition for the Environment.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1680, introduced by Representative Gunn, relating to the organizational credit agency licenses.

HB 1681, introduced by Representative Gunn, relating to claims by an insurance company receiver against reinsurers.

HB 1682, introduced by Representative Boucher, relating to state purchasing preferences for the blind.

HB 1683, introduced by Representative Leake, relating to public improvement assessments on agricultural and horticultural property.

HB 1684, introduced by Representatives Murray, Foley and George, relating to fire protection districts.

HB 1685, introduced by Representative Smith, relating to the practice of cosmetology.

HB 1686, introduced by Representatives Shelton, Days, Williams (121), Troupe, Auer, McLuckie and Gambaro, et al, relating to national teacher certification incentives.

HB 1687, introduced by Representatives Shelton, Williams (121), Troupe, Gambaro and Carter, et al, relating to teacher purchases of instructional materials for the classroom.

HB 1688, introduced by Representative Auer, relating to insurers.

HB 1689, introduced by Representative Ladd Stokan, relating to the department of health and licensure of home care companies.

HB 1690, introduced by Representative Hickey, relating to sales taxation.

HB 1691, introduced by Representative Hickey, relating to airport noise studies.

HB 1692, introduced by Representative Patek, relating to the operation of motor vehicles.

HB 1693, introduced by Representative Patek, relating to Social Security numbers.

HB 1694, introduced by Representative Froelker, relating to teachers' salaries.

HB 1695, introduced by Representative Froelker, relating to teacher and school employee retirement systems.

HB 1696, introduced by Representatives Ross, Alter, Reinhart, Barnett, Miller, Kissell, Britt, Davis (63), Gaskill, Ward, Parker, Merideth, Murray, McKenna, Hampton and Reid, relating to multijurisdictional antifraud enforcement groups.

HB 1697, introduced by Representatives Relford, Barnett, Fitzwater, Ransdall, Wagner, Smith and Kissell, et al, relating to records kept by the state highway patrol.

HB 1698, introduced by Representatives Shelton, O'Toole, Kennedy, Gambaro, Davis (63), May (108) and Troupe, et al, relating to compensation for police officers in certain cities.

HB 1699, introduced by Representative Hosmer, relating to cigarette taxes.

HB 1700, introduced by Representatives Howerton and Kreider, relating to day care expenses.

WITHDRAWAL OF HOUSE BILL

January 24, 2000

Anne Walker, Chief Clerk
Missouri House of Representatives
Room 306C, State Capitol
Jefferson City, MO 65101

Dear Ms. Walker:

I would like to withdraw **House Bill 1570**. Thank you for your attention to this request.

Sincerely,

/s/ Representative Bill Boucher
District 48

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, January 25, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Tenth Day, Thursday, January 20, 2000, pages 111 and 112, roll call, by showing Representative Bonner voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 26, 2000, 3:00 pm. Hearing Room 7.

Executive session may follow.

To be considered - HB 1142, HB 1395, HB 1602

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS SUBCOMMITTEE ON CHILD SUPPORT AND YOUTH SERVICES

Tuesday, January 25, 2000, 8:30 am. Room 313-2. Subcommittee meeting.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, January 25, 2000. Hearing Room 1 upon adjournment.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, January 26, 2000. Hearing Room 1 upon adjournment.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, January 27, 2000. Hearing Room 1 upon adjournment.

Public Defender Commission, Public testimony - Higher Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 25, 2000. Hearing Room 7 upon morning adjournment.

Dept. of Revenue.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 25, 2000. Hearing Room 5 upon adjournment.

Governor's recommendations, Dept. of Natural Resources.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 26, 2000. Hearing Room 5 upon adjournment.

Governor's recommendations, Dept. of Economic Development.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 25, 2000. Hearing Room 3 upon adjournment.

Public testimony from the Dept. of Corrections and Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 26, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS SUBCOMMITTEE
FOR FAMILY SERVICES

Tuesday, January 25, 2000, 8:30 am. Room 205.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, January 26, 2000, 3:00 pm. Hearing Room 3.

To be considered - HB 1171

BUDGET

Wednesday, January 26, 2000, 8:30 am. Hearing Room 3.

To be considered - HB 1114

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 26, 2000, 7:30 pm. Hearing Room 6.

To be considered - HB 1163, HB 1216, HB 1230

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 26, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1311, HB 1410, Executive Session - HB 1097,

Executive Session - HB 1208, Executive Session - HB 1215

CONSUMER PROTECTION AND HOUSING

Tuesday, January 25, 2000, 8:00 pm. Hearing Room 4.

To be considered - HB 1172, HB 1440, HB 1501, HB 1633, HB 1634

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, January 25, 2000, 8:00 pm. Hearing Room 7.

Executive session. AMENDED NOTICE.

To be considered - HB 1072, HB 1185, HB 1186, HB 1321

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 25, 2000, 3:00 pm. Hearing Room 3.

To be considered - HB 1134, HB 1154, HB 1166, HB 1268

EDUCATION - HIGHER

Wednesday, January 26, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1327, HB 1335, HB 1396

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Tuesday, January 25, 2000, 5:00 pm. Senate Committee Rooms 2 and 3.
Joint meeting with members of House and Senate Veterans Committees.

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, January 26, 2000, 8:30 am. Hearing Room 5.
Possible executive session.
To be considered - HB 1084, HB 1275, HB 1376

JUDICIARY

Tuesday, January 25, 2000, 3:00 pm. Hearing Room 5.
To be considered - HB 1100, HB 1280, HB 1294, HB 1300

LABOR

Tuesday, January 25, 2000, 8:00 pm. Hearing Room 3.
To be considered - HB 1377, HB 1569

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, January 25, 2000, 3:00 pm. Hearing Room 7.
Executive session may follow.
To be considered - HB 1131, HB 1229, HB 1238, HB 1284

MISSOURI TOBACCO SETTLEMENT

Wednesday, January 26, 2000, 8:00 am. Hearing Room 7.
To be considered - HJR 61

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 25, 2000, 3:00 pm. Hearing Room 1.
To be considered - HB 1127, HB 1128, HB 1145, HB 1170

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 26, 2000, 8:00 pm. Hearing Room 5. AMENDED NOTICE.
To be considered - HB 1241, HB 1242, HB 1266, HB 1287, HB 1291, HB 1293

PUBLIC HEALTH

Tuesday, January 25, 2000, 3:00 pm. Hearing Room 7.
To be considered - HB 1317, HB 1336, HB 1411, HB 1422

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, January 25, 2000, 8:30 am. Hearing Room 6.
To be considered - HB 1254

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, January 25, 2000, 8:00 pm. Hearing Room 6.
To be considered - HB 1136, HB 1202, HB 1260

SUBCOMMITTEE ON APPROPRIATIONS-NATURAL AND ECONOMIC RESOURCES

Tuesday, January 25, 2000, 8:00 am. Hearing Room 5.

Program implementation of inspection and maintenance program for automobiles.

WAYS AND MEANS

Tuesday, January 25, 2000, 3:00 pm. Hearing Room 6. CORRECTED NOTICE.

To be considered - HB 1066, HB 1140, HB 1141, HB 1174, HB 1189, HB 1246,
HB 1277, HB 1299, HB 1371

HOUSE CALENDAR

TWELFTH DAY, TUESDAY, JANUARY 25, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 12

HOUSE BILLS FOR SECOND READING

HB 1680 through HB 1700

HOUSE BILLS FOR PERFECTION

HB 1506 - Van Zandt

HCS HB 1362 - Harlan

HOUSE RESOLUTION

HR 4, (1-19-00, pgs. 106-107) - Vogel

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TWELFTH DAY, TUESDAY, JANUARY 25, 2000

Representative Auer in the Chair.

Prayer by Father David Buescher.

In the Hebrew Testament, Psalm 139, we read:

If I say, "Surely the darkness shall cover me and the light around me become night". Even the darkness is not dark to you. The night is as bright as the day, for darkness is a light for you.

We pray: All present God, loving parent God, let light shine through this House today, on the floor, in committee, in office, counsel, and discussion. Let any night or darkness we may experience today be flooded with the light of Your direction, Your support, Your warning, if needs be, Your truth. Let our considerations and negotiations begin in You and end in Your loving will, God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eleventh day was approved as corrected by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Ridgeway
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner

Ward
Wilson 42

Wiggins
Mr. Speaker

Williams 121

Williams 159

Wilson 25

NOES: 001

Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Berkowitz
Mays 50

Gibbons
Richardson

Hanaway
Robirds

Hosmer
Scott

Kasten

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 126 - Representative Black
House Resolution No. 127 through House Resolution No. 129 - Representative Pryor
House Resolution No. 130 - Representative Williams (121)
House Resolution No. 131 - Representative Sallee
House Resolution No. 132 - Representative Luetkemeyer
House Resolution No. 133 and House Resolution No. 134 - Representative Graham (24)
House Resolution No. 135 - Representative Lograsso
House Resolution No. 136 - Representative Clayton
House Resolution No. 137 - Representatives Hendrickson, Barry, Enz and Treadway
House Resolution No. 138 - Representative Luetkemeyer
House Resolution No. 139 - Representative Loudon
House Resolution No. 140 - Representatives Kissell, Chrismer, Luetkenhaus and Ostmann
House Resolution No. 141 - Representative Naeger
House Resolution No. 142 and House Resolution No. 143 - Representative Gaskill

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 12 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1680 through **HB 1700** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1434 - Consumer Protection and Housing

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 13, introduced by Representative Loudon, et al, relating to Bill of Rights Day in Missouri.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 62, introduced by Representatives Reynolds and Ransdall, et al, relating to bingo.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1701, introduced by Representative Seigfreid, relating to weights and measures.

HB 1702, introduced by Representative Scheve, relating to the foundation formula.

HB 1703, introduced by Representative Ward, relating to motor vehicle financial responsibility.

HB 1704, introduced by Representative Hosmer, relating to scheduled substances.

HB 1705, introduced by Representatives Ford and Gambaro, relating to the St. Louis riverfront commission.

HB 1706, introduced by Representatives Gambaro, Dougherty, Shelton, Kennedy, Hilgemann, Kreider, Boykins and Bennett, et al, relating to eligible projects for brownfield remediation.

HB 1707, introduced by Representatives George, Kissell, Luetkenhaus, McKenna, Reynolds, Murray, Green, Hickey, Davis (63) and Wagner, et al, relating to access to personnel files.

HB 1708, introduced by Representative Luetkenhaus, relating to the fire education fund.

HB 1709, introduced by Representatives McClelland and Ostmann, et al, relating to national teacher certification incentives.

HB 1710, introduced by Representatives Lakin, Williams (121), Fitzwater and Kelley (47), et al, relating to liquor control.

HB 1711, introduced by Representatives Abel, McKenna, Davis (122), Relford, Selby, Riley and Hollingsworth, et al, relating to health insurance.

HB 1712, introduced by Representatives McKenna, Wagner, Overschmidt, Abel, Selby and Hollingsworth, et al, relating to regional child assessment centers.

HB 1713, introduced by Representatives Lakin and Fitzwater, et al, relating to educational instruction.

HB 1714, introduced by Representative Howerton, relating to distribution of copies of state road laws.

HB 1715, introduced by Representatives Campbell, Hosmer and Dougherty, relating to zoo special license plates.

HB 1716, introduced by Representatives Howerton and Marble, relating to environmental audit privilege.

HB 1717, introduced by Representative Akin, relating to contributions by gaming interests.

HB 1718, introduced by Representatives Smith and Skaggs, relating to the sunshine law.

HB 1719, introduced by Representative Naeger, et al, relating to public assistance.

HB 1720, introduced by Representative Treadway, relating to gaming.

HB 1721, introduced by Representatives Ostmann, Pryor, Koller, Dolan, Gross and Patek, relating to bids for highway construction.

HB 1722, introduced by Representative Ross, relating to driver's examination for licensure.

HB 1723, introduced by Representative Treadway, relating to chiropractors.

HB 1724, introduced by Representative Rizzo, relating to rural electric cooperatives.

HB 1725, introduced by Representative Dolan, relating to ticket scalping.

HB 1726, introduced by Representatives Van Zandt and Campbell, relating to government contracts for the examination of taxpayer records.

HB 1727, introduced by Representatives Hosmer and Hoppe, relating to taxation for fire protection.

HB 1728, introduced by Representatives Backer, Boykins and Days, relating to state purchasing procedures for the acquisition of privately produced goods and services within the state which are not produced by the state.

HB 1729, introduced by Representatives Koller, Luetkenhaus, Seigfreid, Hampton, Smith, Auer and Gross, et al, relating to health insurance.

HB 1730, introduced by Representative Patek, relating to llamas as livestock.

HB 1731, introduced by Representative Patek, relating to pupil science testing.

HB 1732, introduced by Representative Patek, relating to assessment of students for whom English is a second language.

HB 1733, introduced by Representatives Williams (121) and Graham (24), relating to state standards.

HB 1734, introduced by Representatives Riley, Rizzo, Shelton, Wilson (42), Lakin, Troupe, Carter and Boykins, et al, relating to charter schools.

HB 1735, introduced by Representatives Reynolds, Wagner, Hampton, Merideth and Ransdall, et al, relating to funding for the World War II Memorial.

HB 1736, introduced by Representatives Reynolds and Ransdall, et al, relating to payments to veterans.

HB 1737, introduced by Representatives Monaco, Gaw, Seigfreid, Williams (159), Harlan, Backer and Auer, et al, relating to long-term care insurance.

HB 1738, introduced by Representative Richardson, relating to stealing.

HB 1739, introduced by Representative Auer, relating to life insurance companies.

HB 1740, introduced by Representative Shelton, relating to certain police retirement systems.

HB 1741, introduced by Representative Rizzo, relating to sexual offenses involving children.

HB 1742, introduced by Representatives Gaw, Gunn, Koller, Backer, Leake, Crump, Murray, Kreider, Days, Relford and Lakin, et al, relating to bonding for transportation.

WITHDRAWAL OF HOUSE BILL

January 24, 2000

The Honorable Steve Gaw
Speaker
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1230** be withdrawn.

Thank you for your consideration in this matter.

Sincerely,

/s/ Beth Long

The following members' presence was noted: Gibbons and Scott.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, January 26, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Eleventh Day, Monday, January 24, 2000, pages 124 and 125, roll call, by showing Representatives Dolan and Elliott voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 26, 2000, 3:00 pm. Hearing Room 7.

Executive session may follow.

To be considered - HB 1142, HB 1395, HB 1602

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, January 26, 2000. Hearing Room 1 upon adjournment.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, January 27, 2000. Hearing Room 1 upon adjournment.

Public Defender Commission, Public testimony - Higher Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 26, 2000. Hearing Room 7 upon adjournment.
MoDOT.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 31, 2000, 1:00 pm. Hearing Room 7.
Elected officials.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 26, 2000. Hearing Room 5 upon adjournment.
Governor's recommendations, Dept. of Economic Development.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 26, 2000. Hearing Room 3 upon adjournment.
Dept. of Social Services.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, January 26, 2000, 3:00 pm. Hearing Room 3.
To be considered - HB 1171

BUDGET

Wednesday, January 26, 2000, 8:30 am. Hearing Room 3.
To be considered - HB 1114

BUDGET

Thursday, January 27, 2000, 8:30 am. Hearing Room 3.
To be considered - HB 1114

CHILDREN, YOUTH AND FAMILIES

Wednesday, January 26, 2000, 7:30 pm. Hearing Room 6.
To be considered - HB 1163, HB 1216, HB 1230

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 26, 2000, 3:00 pm. Hearing Room 1.
To be considered - HB 1311, HB 1410, Executive Session - HB 1097,
Executive Session - HB 1208, Executive Session - HB 1215

COMMERCE

Wednesday, January 26, 2000, 5:00 pm. Hearing Room 6.
Executive session may follow.
To be considered - HB 1305, HB 1357, HB 1416

CRIMINAL LAW

Wednesday, January 26, 2000, 8:00 pm. Hearing Room 7.

Executive session to follow.

To be considered - HB 1146, HB 1289, HB 1337, HB 1358, HB 1398, HB 1404

EDUCATION - HIGHER

Wednesday, January 26, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1327, HB 1335, HB 1396

ENVIRONMENT AND ENERGY

Thursday, January 27, 2000, 8:00 am. Hearing Room 7.

To be considered - HB 1143, HB 1439

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, January 26, 2000, 8:30 am. Hearing Room 5. AMENDED NOTICE.

Possible executive session.

To be considered - HB 1084, HB 1275, HB 1376, HB 1428

MISSOURI TOBACCO SETTLEMENT

Wednesday, January 26, 2000, 8:00 am. Hearing Room 7.

To be considered - HJR 61

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, January 26, 2000, 8:00 pm. Hearing Room 5. AMENDED NOTICE.

To be considered - HB 1241, HB 1242, HB 1266, HB 1287, HB 1291, HB 1293

RETIREMENT

Wednesday, January 26, 2000, 8:00 pm. Hearing Room 1. CORRECTED NOTICE.

To be considered - HB 1265, HB 1356, HB 1463

SUBCOMMITTEE ON AGING

Wednesday, January 26, 2000. Hearing Room 3 upon adjournment.

SUBCOMMITTEE ON APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 1, 2000, 8:00 am. Hearing Room 4.

Continuing report from Dept. of Natural Resources.

HOUSE CALENDAR

THIRTEENTH DAY, WEDNESDAY, JANUARY 26, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING
HCR 13

HOUSE JOINT RESOLUTION FOR SECOND READING
HJR 62

HOUSE BILLS FOR SECOND READING
HB 1701 through HB 1742

HOUSE BILLS FOR PERFECTION
HB 1506 - Van Zandt
HCS HB 1362 - Harlan

HOUSE RESOLUTION
HR 4, (1-19-00, pgs. 106-107) - Vogel

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTEENTH DAY, WEDNESDAY, JANUARY 26, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

I adapt this prayer from Celtic Prayers from Iona, by J. Philip Newell:

Your are the love of each living creature, O God.
You are the warmth of the rising sun.
You are the whiteness of the moon at night.
You are the life of the growing earth.
You are the strength of the waves of the sea.
Speak to us this day, O God.
Speak to us Your truth.
Dwell with us this day, O God.
Dwell with us in love. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twelfth day was approved as corrected by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche	Pryor	Purgason	Ransdall
Reid	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Secrest	Seigfreid	Selby

Shelton	Skaggs	Smith	Stokan	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 002

Hanaway	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 009

Berkowitz	Champion	Dolan	Kasten	McLuckie
Reinhart	Robirds	Scott	Shields	

VACANCIES: 001

RESOLUTION

HR 141 was taken up by Representative Naeger and read.

House Resolution No. 141

WHEREAS, the members of the Missouri House of Representatives always welcome the opportunity to recognize those Show-Me State college students who have attained notable success during four years of impressive sports competition while pursuing excellence in academics; and

WHEREAS, Scott Pingel, son of Wayne and Janet Pingel of Perryville, Missouri, is a senior at Westminster College in Fulton, where he enjoys an excellent reputation as the Saint Louis Intercollegiate Athletic Conference Player of the Year and a GTE Academic All-American finalist; and

WHEREAS, Scott Pingel capped his stellar football career as a wide receiver for the Blue Jays by being named to the Hewlett-Packard Division III All-American first team, making him the only player to earn such distinction the past three seasons; and

WHEREAS, admirably coached by Conference Coach of the Year John Welty, Scott Pingel completed the 1999-2000 season by setting new NCAA all-divisions records for career receptions, career yardage, and career touchdown catches; and

WHEREAS, the final season of his college athletic career found Scott Pingel recording 136 receptions for 1,648 yards and 24 touchdowns, and experiencing the privilege to play in the Fifth Annual All-American Bowl at the Metrodome in Minneapolis; and

WHEREAS, arguably the greatest receiver statistically in NCAA history, Scott Pingel shattered performances by his predecessors when he entered into the record books career totals of 436 receptions, 6,108 yards, and 75 touchdown catches; and

WHEREAS, Scott Pingel tied the fifteen-year-long reception record during an early senior-year game against Illinois College before nearly 100 friends and relatives attending from his hometown and wearing "Great Scott" T-shirts who then saw him break the record in a later play and deliver the football to a referee for donation to the College Football Hall of Fame; and

WHEREAS, Scott Pingel recently experienced the high honor and the rare distinction of receiving the 1999 Melberger Award as the NCAA Division III Player of the Year, becoming the first wide receiver ever to earn this coveted accolade:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, join unanimously to applaud the richly-deserved accomplishments of Scott Pingel during his college career and to congratulate him for his record-breaking and record-setting senior year of football at Westminster College; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution in honor of wide receiver Scott Pingel of Perryville, Missouri.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 144 - Representative Boucher
House Resolution No. 145 and House Resolution No. 146 - Representative Bartelsmeyer
House Resolution No. 147 - Representative Thompson
House Resolution No. 148 through House Resolution No. 151 - Representative Gibbons

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 13 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 62 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1701 through **HB 1742** were read the second time.

HOUSE RESOLUTION

HR 4, relating to the use of the House Chamber, was taken up by Representative Vogel.

On motion of Representative Vogel, **HR 4** was adopted.

PERFECTION OF HOUSE BILL

HB 1506, relating to Tobacco Settlement Trust Fund, was taken up by Representative Van Zandt.

Representative Hanaway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1506, Page 1, Lines 13-15, by deleting said lines.

Representative Hanaway moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 021

Ballard	Bartelsmeyer	Chrismer	Evans	Froelker
Gaskill	Hanaway	Hohulin	King	Luetkemeyer
Marble	Merideth	Myers	Naeger	Ostmann
Patek	Pryor	Purgason	Scott	Smith
Townley				

NOES: 135

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartle	Bennett	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher
Boykins	Bray 84	Britt	Burton	Campbell
Carter	Champion	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Elliott	Enz	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Gambaro	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	Miller	Monaco	Murphy
Murray	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Phillips	Pouche	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Stokan	Summers	Surface
Thompson	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkowitz	Dolan	Kasten	McLuckie	Robirds
Skaggs				

VACANCIES: 001

On motion of Representative Van Zandt, **HB 1506** was ordered perfected and printed.

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 1322 - Transportation

HB 1428 - Labor

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 63, introduced by Representative Burton, relating to taxation.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 1101, introduced by Representative Franklin, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1743, introduced by Representatives Foley and Naeger, relating to pharmacies.

HB 1744, introduced by Representative Seigfreid, relating to speed limits.

HB 1745, introduced by Representatives Marble and Secrest, et al, relating to income taxation.

HB 1746, introduced by Representative Marble, et al, relating to individual income taxes.

HB 1747, introduced by Representatives Barry, Kennedy, Graham (24), Backer, Tudor, Green and Bartelsmeyer, et al, relating to the quality of patient care.

HB 1748, introduced by Representative Bray, relating to traffic regulations for trucks.

HB 1749, introduced by Representatives Foley and Murray, relating to fire protection districts.

HB 1750, introduced by Representative Patek, relating to excursion gambling boats.

HB 1751, introduced by Representative Patek, relating to income taxation.

HB 1752, introduced by Representatives Ballard and Marble, relating to funding for public schools.

HB 1753, introduced by Representative Riley, relating to charter schools.

HB 1754, introduced by Representative Froelker, relating to the blindness education, screening and treatment program.

HB 1755, introduced by Representative Froelker, relating to income and sales tax credits and refunds.

HB 1756, introduced by Representative Froelker, relating to income taxation.

HB 1757, introduced by Representatives Williams (121), Franklin and Pryor, et al, relating to watercraft regulation.

HB 1758, introduced by Representative Hegeman, relating to starting age for kindergarten.

HB 1759, introduced by Representative Hegeman, et al, relating to the department of health.

HB 1760, introduced by Representative Summers, relating to cemeteries.

HB 1761, introduced by Representatives Summers, Myers, Ostmann, Hartzler (124) and Levin, et al, relating to teachers.

HB 1762, introduced by Representatives Williams (159), Wiggins, Gaw, Hegeman, Legan, Koller, Merideth, Leake and Britt, relating to agricultural marketing.

HB 1763, introduced by Representatives Burton and Murray, relating to county sheltered workshops.

HB 1764, introduced by Representative Backer, relating to certain retirement systems.

HB 1765, introduced by Representative Hagan-Harrell, relating to the school calendar.

HB 1766, introduced by Representatives Williams (159), Koller and Merideth, et al, relating to sales taxation by fire protection districts.

HB 1767, introduced by Representatives Williams (159) and Ross, relating to a Girl Scouts of America special license plate.

HB 1768, introduced by Representatives Ward, Crump and Graham (106), relating to full-time prosecutors.

HB 1769, introduced by Representative Smith, relating to probation officers.

HB 1770, introduced by Representatives Britt and McKenna, relating to health care payment fraud and abuse.

HB 1771, introduced by Representatives Britt and Merideth, relating to law enforcement agencies.

HB 1772, introduced by Representative Reynolds, relating to the small business franchise act.

HB 1773, introduced by Representative Evans, et al, relating to fee agents.

HB 1774, introduced by Representative Auer, relating to lead abatement projects.

HB 1775, introduced by Representatives Sallee and Long, relating to state emblems.

HB 1776, introduced by Representative Sallee, relating to child visitation.

HB 1777, introduced by Representative Sallee, relating to the state employees' retirement system.

HB 1778, introduced by Representatives Mays (50), Smith, Koller, Crump, Graham (24), Froelker and Kreider, et al, relating to retail choice in electric service.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Foley has been appointed a member of the Commerce Committee.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, January 27, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twelfth Day, Tuesday, January 25, 2000, pages 133 and 134, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, January 27, 2000. Hearing Room 1 upon adjournment.
Public Defender Commission, Public testimony - Higher Education.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Monday, January 31, 2000, 1:00 pm. Hearing Room 1.
Dept. Of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 31, 2000, 1:00 pm. Hearing Room 7. Elected officials.

BUDGET

Thursday, January 27, 2000, 8:30 am. Hearing Room 3.
To be considered - HB 1114

CONSUMER PROTECTION AND HOUSING

Tuesday, February 1, 2000, 8:00 pm. Hearing Room 1. Executive session.
To be considered - HB 1430, HB 1434, HB 1455

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, January 27, 2000, 9:30 am. Hearing Room 4.

To be considered - Executive Session - HB 1075, Executive Session - HB 1076

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 1, 2000, 3:00 pm. Hearing Room 3.

To be considered - HB 1073, HB 1183, HB 1221, HB 1361

ENVIRONMENT AND ENERGY

Thursday, January 27, 2000, 8:00 am. Hearing Room 7.

To be considered - HB 1143, HB 1439

ETHICS

Thursday, January 27, 2000. Side gallery upon adjournment.

Approval of Caucus.

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Thursday, January 27, 2000. Side gallery upon morning adjournment.

Executive session.

FISCAL REVIEW

Monday, January 31, 2000, 3:00 pm. Hearing Room 2a-2b.

Executive session.

MUNICIPAL CORPORATIONS

Wednesday, February 2, 2000, 3:00 pm. Hearing Room 4.

To be considered - HB 1290, HB 1338

SUBCOMMITTEE ON APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 1, 2000, 8:00 am. Hearing Room 4.

Continuing report from Dept. of Natural Resources.

SUBCOMMITTEE ON ORGAN DONATION

Monday, January 31, 2000, 3:00 pm. Hearing Room 4.

To be considered - HB 1178

SUBCOMMITTEE ON ORGAN DONATION

Tuesday, February 1, 2000, 8:00 am. Hearing Room 7.

To be considered - HB 1178

HOUSE CALENDAR

FOURTEENTH DAY, THURSDAY, JANUARY 27, 2000

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 63

HOUSE BILLS FOR SECOND READING

HB 1743 through HB 1778

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1101

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 43 - Barry

HOUSE BILL FOR PERFECTION

HCS HB 1362 - Harlan

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FOURTEENTH DAY, THURSDAY, JANUARY 27, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, we thank You for our time and place in history. We know that we are a people capable of mischief and mercy. Bless this House, its men and women and staffs. And grant that instead of mischief, they may deal out portions of mercy this day. We pray for our neighbors, as they deal with the bluster of a cold Missouri winter.

To You be glory and power, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Andrew Lang, Joseph Dawson, Liana Presser, Nuzhat Chowdhury, Natalie Vargas and Chelsea Page.

The Journal of the thirteenth day was approved as corrected by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Boatright	Boucher
Boykins	Bray 84	Britt	Burton	Campbell
Carter	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Elliott	Enz	Evans
Farnen	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Smith	Stokan
Summers	Thompson	Townley	Treadway	Troupe

Tudor
Wiggins
Mr. Speaker

Van Zandt
Williams 121

Vogel
Williams 159

Wagner
Wilson 25

Ward
Wilson 42

NOES: 003

Blunt

Hanaway

Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkowitz
Robirds

Bonner
Skaggs

Dougherty
Surface

Fitzwater

Kasten

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 152 - Representative Thompson
House Resolution No. 153 - Representatives Miller and Enz
House Resolution No. 154 - Representative Leake
House Resolution No. 155 - Representative King
House Resolution No. 156 - Representatives Harlan, Riback Wilson (25), Graham (24) and Farnen

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 63 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1743 through **HB 1778** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1101 was read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 3 - Education - Elementary and Secondary
HCR 4 - Public Health
HCR 5 - Critical Issues
HCR 6 - Public Health
HCR 7 - Children, Youth and Families
HCR 8 - Critical Issues
HCR 9 - Local Government and Related Matters
HCR 10 - Insurance
HCR 11 - Ways and Means

HCR 12 - Environment and Energy
HCR 13 - Critical Issues

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 58 - Ways and Means
HJR 59 - Transportation
HJR 60 - Transportation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1090 - Critical Issues
HB 1101 - Budget
HB 1150 - Critical Issues
HB 1207 - Critical Issues
HB 1365 - Education - Higher
HB 1433 - Local Government and Related Matters
HB 1452 - Miscellaneous Bills and Resolutions
HB 1465 - Criminal Law
HB 1466 - Ways and Means
HB 1467 - Professional Registration and Licensing
HB 1468 - Public Safety and Law Enforcement
HB 1469 - Education - Elementary and Secondary
HB 1471 - Public Health
HB 1472 - Civil and Administrative Law
HB 1473 - Professional Registration and Licensing
HB 1474 - Education - Elementary and Secondary
HB 1475 - Education - Higher
HB 1476 - Professional Registration and Licensing
HB 1477 - Judiciary
HB 1478 - Education - Elementary and Secondary
HB 1479 - Criminal Law
HB 1480 - Motor Vehicle and Traffic Regulations
HB 1481 - Civil and Administrative Law
HB 1482 - Elections
HB 1483 - Commerce
HB 1484 - Public Safety and Law Enforcement
HB 1486 - Education - Higher
HB 1487 - Local Government and Related Matters
HB 1488 - Public Health
HB 1489 - Public Health

- HB 1490** - Criminal Law
- HB 1491** - Ways and Means
- HB 1492** - Education - Elementary and Secondary
- HB 1493** - Judiciary
- HB 1495** - Commerce
- HB 1497** - Professional Registration and Licensing
- HB 1498** - Ways and Means
- HB 1499** - Local Government and Related Matters
- HB 1500** - Labor
- HB 1502** - Civil and Administrative Law
- HB 1505** - Public Safety and Law Enforcement
- HB 1507** - Judiciary
- HB 1508** - Criminal Law
- HB 1509** - Civil and Administrative Law
- HB 1510** - Fiscal Review
- HB 1511** - Public Safety and Law Enforcement
- HB 1512** - Consumer Protection and Housing
- HB 1513** - Motor Vehicle and Traffic Regulations
- HB 1514** - Local Government and Related Matters
- HB 1515** - Motor Vehicle and Traffic Regulations
- HB 1516** - Ways and Means
- HB 1518** - Judiciary
- HB 1519** - Consumer Protection and Housing
- HB 1520** - Children, Youth and Families
- HB 1521** - Civil and Administrative Law
- HB 1522** - Education - Elementary and Secondary
- HB 1523** - Ways and Means
- HB 1524** - Ways and Means
- HB 1525** - Education - Elementary and Secondary
- HB 1526** - Education - Elementary and Secondary
- HB 1527** - Civil and Administrative Law
- HB 1530** - Education - Elementary and Secondary
- HB 1531** - Education - Elementary and Secondary
- HB 1532** - Education - Elementary and Secondary
- HB 1533** - Education - Elementary and Secondary
- HB 1534** - Education - Elementary and Secondary
- HB 1535** - Education - Elementary and Secondary
- HB 1537** - Education - Elementary and Secondary
- HB 1538** - Education - Elementary and Secondary
- HB 1540** - Fiscal Review
- HB 1541** - Local Government and Related Matters
- HB 1542** - Criminal Law
- HB 1543** - Civil and Administrative Law
- HB 1544** - Civil and Administrative Law
- HB 1545** - Local Government and Related Matters

HB 1546 - Civil and Administrative Law
HB 1547 - Commerce
HB 1548 - Judiciary
HB 1549 - Education - Elementary and Secondary
HB 1550 - Environment and Energy
HB 1551 - Children, Youth and Families
HB 1552 - Education - Elementary and Secondary
HB 1553 - Education - Elementary and Secondary
HB 1554 - Governmental Organization and Review
HB 1555 - Insurance
HB 1556 - Critical Issues
HB 1558 - Retirement
HB 1559 - Critical Issues
HB 1563 - Education - Elementary and Secondary
HB 1564 - Governmental Organization and Review
HB 1565 - Ways and Means
HB 1566 - Ways and Means
HB 1567 - Ways and Means
HB 1568 - Public Health
HB 1569 - Labor
HB 1571 - Motor Vehicle and Traffic Regulations
HB 1572 - Judiciary
HB 1573 - Judiciary
HB 1574 - Public Health
HB 1575 - Judiciary
HB 1576 - Motor Vehicle and Traffic Regulations
HB 1577 - Motor Vehicle and Traffic Regulations
HB 1578 - Education - Higher
HB 1579 - Local Government and Related Matters
HB 1582 - Judiciary
HB 1583 - Ways and Means
HB 1584 - Retirement
HB 1585 - Public Safety and Law Enforcement
HB 1586 - Fiscal Review
HB 1587 - Motor Vehicle and Traffic Regulations
HB 1588 - Transportation
HB 1589 - Education - Elementary and Secondary
HB 1590 - Governmental Organization and Review
HB 1591 - Professional Registration and Licensing
HB 1592 - Civil and Administrative Law
HB 1593 - Retirement
HB 1594 - Civil and Administrative Law
HB 1595 - Insurance
HB 1597 - Insurance
HB 1598 - Public Safety and Law Enforcement

HB 1599 - Education - Elementary and Secondary

HB 1640 - Public Health

HB 1652 - Local Government and Related Matters

HB 1674 - Agri-Business

HB 1699 - Local Government and Related Matters

HB 1762 - Agri-Business

COMMITTEE REPORTS

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred **the additions to the FRESHMAN CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

January 4, 2000

The Honorable Robert Clayton
Chair, Ethics Committee
State Capitol, Room 114C
Jefferson City, MO 65101

RE: Freshman Caucus

Dear Representative Clayton:

Representative Susan Phillips, District 32, Representative Melba J. Curls, District 41, and Representative Yvonne S. Wilson, District 42, would like to be added to the Freshman Caucus.

Sincerely,

/s/ Phillip M. Britt
Freshman Caucus Co-Chair

/s/ Barbara Wall Fraser
Freshman Caucus Co-Chair

January 3, 2000

The Honorable Phillip M. Britt
Co-Chair, Missouri House of Representatives Freshman Caucus
State Capitol Room 130D-C
Jefferson City, MO 65101

The Honorable Barbara Fraser
Co-Chair, Missouri House of Representatives Freshman Caucus
State Capitol, Room 130D-B
Jefferson City, MO 65101

RE: Freshman Caucus

Dear Representative Britt and Representative Fraser:

I would like to be added as a member of the Freshman Caucus.

Yours truly,

/s/ Susan Phillips
Representative, District 32

December 29, 1999

The Honorable Phillip M. Britt
Co-Chair, Missouri House of Representatives Freshman Caucus
State Capitol, Room 130D-C
Jefferson City, MO 65101

The Honorable Barbara Fraser
Co-Chair, Missouri House of Representatives Freshman Caucus
State Capitol, Room 130D-B
Jefferson City, MO 65101

RE: Freshman Caucus

Dear Representative Britt and Representative Fraser:

I would like to be added as a member of the Freshman Caucus.

Sincerely,

/s/ Yvonne S. Wilson
District 42nd

January 3, 2000

The Honorable Phillip M. Britt
Co-Chair, Missouri House of Representatives Freshman Caucus
State Capitol, Room 130D-C
Jefferson City, MO 65101

The Honorable Barbara Fraser
Co-Chair, Missouri House of Representatives Freshman Caucus
State Capitol, Room 130D-B
Jefferson City, MO 65101

RE: Freshman Caucus

Dear Representative Britt and Representative Fraser:

I would like to be added as a member of the Freshman Caucus.

Sincerely,

/s/ Melba J. Curls
State Representative, District 41

Mr. Speaker: Your Committee on Ethics, to which was referred **the additions to the HOUSE DEMOCRATIC CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

DATE: September 15, 1999

TO: Representative Robert Clayton
Chairman, House Committee on Ethics

FROM: Representative Dana L. Murray
Majority Caucus Secretary

RE: Addendum to House Democratic Caucus

In accordance with Section 105.473.3(2)(c)d RSMo, we would like to add the following members of the General Assembly as members of the Missouri House Democratic Caucus:

<u>District</u>	<u>Name</u>
41	/s/ Melba J. Curls
42	/s/ Yvonne S. Wilson

Mr. Speaker: Your Committee on Ethics, to which was referred **the additions to the FRESHMAN DEMOCRATIC CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

January 5, 2000

Representative Robert Clayton, Chairman
House Ethics Committee
Capitol Building
Jefferson City, MO

Dear Robert:

In accordance with Section 105.473.3(2)(c)d RSMo, I respectfully request that the following members be added to the Freshman Democratic Caucus.

<u>DISTRICT</u>	<u>REPRESENTATIVE</u>
41	/s/ Melba J. Curls
42	/s/ Yvonne S. Wilson

Sincerely,

/s/ Wes Wagner
Freshman Democratic Caucus Chairman

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 14, introduced by Representative Griesheimer, relating to methyl tertiary butyl ether (MTBE).

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 64, introduced by Representatives Scott and Gross, et al, relating to the Missouri Citizens Commission on the Compensation for Elected Officials.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1779, introduced by Representatives Ross and Koller, relating to stealing services.

HB 1780, introduced by Representatives Liese, Reynolds, Gaw, McBride, Parker, Riley, Kreider, Franklin, Auer and Troupe, et al, relating to small loans.

HB 1781, introduced by Representatives Kreider and Robirds, relating to noxious weeds.

HB 1782, introduced by Representatives Gibbons, Secrest, Patek, Hegeman and Summers, et al, relating to the burden of proof in tax cases.

HB 1783, introduced by Representatives Gibbons, McClelland, Hartzler (124) and Vogel, relating to a Missouri D.A.R.E. Officers' Association.

HB 1784, introduced by Representatives Auer, May (108), Hilgemann, Kennedy, O'Toole, Carter, Davis (63) and Dougherty, et al, relating to the creation of a teacher cadet program.

HB 1785, introduced by Representatives Auer, May (108), Hilgemann, Davis (63), O'Toole, Carter, Kennedy and Boykins, et al, relating to compulsory age for school attendance.

HB 1786, introduced by Representatives Auer, May (108), Hilgemann, Gambaro, Kennedy, Carter and Dougherty, et al, relating to the Missouri incentive award program.

HB 1787, introduced by Representatives Auer, May (108), Davis (63) and Dougherty, et al, relating to the tax credit for donations for public schools and school district libraries.

HB 1788, introduced by Representatives Auer, Carter, May (108), Hilgemann, Kennedy, Davis (63) and Dougherty, et al, relating to the families in education grant program and fund.

HB 1789, introduced by Representative Dougherty, relating to the office of school disciplinary hearings.

HB 1790, introduced by Representative Gaskill, relating to the county employees' retirement system.

HB 1791, introduced by Representatives Troupe, Gunn, Thompson, Ladd Stokan, Murray, Davis (63), Cierpiot and Reinhart, et al, relating to the housing of offenders.

HB 1792, introduced by Representatives Davis (122), Fitzwater, Berkowitz, Abel, Ransdall, Relford and Kreider, et al, relating to issuance of teachers' licenses.

HB 1793, introduced by Representative Selby, relating to health insurance benefits.

HB 1794, introduced by Representatives Britt, Richardson, McKenna, Parker and Merideth, relating to conditions of probation.

HB 1795, introduced by Representative Myers, et al, relating to school district planning and zoning.

HB 1796, introduced by Representative Hegeman, relating to egg dealers and retailers licenses.

HB 1797, introduced by Representatives Gratz, Gaw, Backer, Riley, Kreider, Vogel, Luetkenhaus and Griesheimer, et al, relating to the motorist insurance identification database.

HB 1798, introduced by Representatives Williams (159), Wiggins, Leake, Legan, Ransdall, Britt and Myers, et al, relating to the private property protection act.

HB 1799, introduced by Representative Kelley (47), relating to the prohibition of interference with the free exercise of religion absent a compelling state interest.

HB 1800, introduced by Representatives Kelley (47), Long, Ostmann and Reinhart, relating to the duties of the board of probation and parole.

HB 1801, introduced by Representatives Myers, Black, Foster, Klindt, Hartzler (124), Hegeman and Summers, et al, relating to requiring the sale of ethanol in certain areas.

HB 1802, introduced by Representatives Monaco and Liese, relating to mortgage insurers.

HB 1803, introduced by Representatives Wiggins and Berkstresser, relating to ad valorem taxes.

HB 1804, introduced by Representative Monaco, relating to disclosure of HIV infection status.

HB 1805, introduced by Representative Monaco, relating to clerks' salaries.

HB 1806, introduced by Representative Crump, relating to restraining animals.

HB 1807, introduced by Representative O'Toole, relating to jury service.

HB 1808, introduced by Representative O'Toole, relating to firemen's retirement and relief systems.

HB 1809, introduced by Representative O'Toole, relating to courthouse restoration funds.

HB 1810, introduced by Representatives Gibbons, McClelland, Griesheimer, Levin, Froelker and Dolan, et al, relating to tax relief for investors in qualified small business.

HB 1811, introduced by Representatives Kreider, Ridgeway, Crump, Reinhart, Legan, Klindt and Myers, et al, relating to the farmland preservation enabling act.

HB 1812, introduced by Representative Akin, relating to marriage.

HB 1813, introduced by Representative Akin, relating to income taxation.

HB 1814, introduced by Representative Williams (121), relating to private jails for profit.

HB 1815, introduced by Representative Patek, relating to teacher and school employee retirement systems.

HB 1816, introduced by Representatives Hosmer, Reynolds, Bray, Troupe, Hickey, Riley and Kennedy, et al, relating to oversight of state agency privatization contracts.

HB 1817, introduced by Representative Wiggins, relating to administrative appeals by long-term care facilities.

HB 1818, introduced by Representatives Kissell, Gaskill, Reinhart, Hampton, Ross and Alter, relating to public safety offenses.

HB 1819, introduced by Representatives Scott, Hartzler (124), Phillips, Froelker and Gross, et al, relating to marriage.

HB 1820, introduced by Representatives Scott and Gross, et al, relating to undergraduate education scholarships for certain students.

HB 1821, introduced by Representatives Scott, Marble and Gross, et al, relating to selling stolen property over the Internet.

HB 1822, introduced by Representatives Scott and Gross, et al, relating to registered offenders as coaches.

HB 1823, introduced by Representative Scott, relating to license plates.

HB 1824, introduced by Representatives Klindt, Legan and Hegeman, et al, relating to new generation cooperatives.

HB 1825, introduced by Representative Klindt, et al, relating to state emblems.

HB 1826, introduced by Representatives Barry, Murray, Tudor, Auer, Hartzler (124), Bartle, Bonner, Kennedy, Gambaro, Reynolds, Kissell, Bartelsmeyer, Ridgeway, Luetkenhaus, O'Connor, Treadway, Gross, Dolan, Cierpiot, Reid, Enz and Griesheimer, et al, relating to trafficking in aborted human fetal parts.

HB 1827, introduced by Representatives Barry and Hollingsworth, relating to the regulation of certain medical personnel.

The following member's presence was noted: Bonner.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, January 31, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirteenth Day, Wednesday, January 26, 2000, pages 142 and 143, roll call, by showing Representatives Champion and Reinhart voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, January 31, 2000, 8:00 pm. Hearing Room 5.

To be considered - HB 1223, HB 1443

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Monday, January 31, 2000, 1:00 pm. Hearing Room 1.

Dept. of Elementary and Secondary Education.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, February 1, 2000. Hearing Room 1 upon adjournment.

Dept. of Elementary & Secondary Ed., Public testimony - DESE.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 2, 2000. Hearing Room 1 upon adjournment.

Dept. of Public Safety. Public testimony Public Safety, Judiciary & Pub. Defender.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 31, 2000, 1:00 pm. Hearing Room 7. Elected officials.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 1, 2000. Hearing Room 7 upon adjournment.
Public Debt, Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 2, 2000. Hearing Room 7 upon adjournment.
General Assembly, St. Louis Sports Authority.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, January 31, 2000, 2:00 pm. Hearing Room 5. Public testimony.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 1, 2000. Hearing Room 3 upon adjournment.
Dept. of Social Services. Public testimony for Pharmacy Medicaid Budget.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 2, 2000. Hearing Room 3 upon adjournment.
Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 3, 2000. Hearing Room 3 upon adjournment.
Dept. of Social Services.

BUDGET

Tuesday, February 1, 2000, 8:30 am. Hearing Room 3.
Possible Executive Session. To be considered - HB 1114

CHILDREN, YOUTH AND FAMILIES

Monday, January 31, 2000, 3:45 pm. Side gallery.
Executive Session. To be considered - HB 1216

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 2, 2000, 7:30 pm. Hearing Room 6.
Possible Executive Session.
To be considered - HB 1319, HB 1324, HB 1393, HB 1425

CONSUMER PROTECTION AND HOUSING

Tuesday, February 1, 2000, 8:00 pm. Hearing Room 1.
Executive Session. To be considered - HB 1430, HB 1434, HB 1455

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, February 1, 2000, 8:00 pm. Hearing Room 7.
Executive Session. To be considered - HB 1185, HB 1460

CRITICAL ISSUES

Monday, January 31, 2000, 8:00 pm. Hearing Room 3.
To be considered - HB 1086, HB 1168, HB 1206, HB 1386

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 1, 2000, 3:00 pm. Hearing Room 3.
To be considered - HB 1073, HB 1183, HB 1221, HB 1361

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Wednesday, February 2, 2000. Side gallery upon morning adjournment.
Executive Session.

FISCAL REVIEW

Monday, January 31, 2000, 3:00 pm. Hearing Room 2a-2b.
Executive Session.

INSURANCE

Tuesday, February 1, 2000, 8:00 am. Hearing Room 5.
To be considered - HB 1148, HB 1292, HB 1595, HB 1596, HCR 10

LABOR

Tuesday, February 1, 2000, 5:30 pm. Hearing Room 3.
Executive Session. To be considered - HB 1067, HB 1369, HB 1383, HB 1428

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 1, 2000, 3:00 pm. Hearing Room 1.
To be considered - HB 1184, HB 1210, HB 1219, HB 1315

MUNICIPAL CORPORATIONS

Wednesday, February 2, 2000, 3:00 pm. Hearing Room 4.
To be considered - HB 1290, HB 1338

PUBLIC SAFETY AND LAW ENFORCEMENT

Monday, January 31, 2000, 3:30 pm. Side Gallery.
Executive Session. To be considered - HB 1254

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, February 1, 2000, 8:30 am. Hearing Room 6.
To be considered - HB 1468, HB 1484, HB 1505

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 8, 2000, 8:00 pm. Hearing Room 6.

To be considered - HB 1400, HB 1450

SUBCOMMITTEE FOR CHILD SUPPORT ENFORCEMENT

Tuesday, February 1, 2000, 8:30 am. Room 313-2. Subcommittee meeting.

SUBCOMMITTEE FOR FAMILY SERVICES - APPROPRIATIONS SOCIAL SERVICES AND CORRECTIONS

Monday, January 31, 2000, 2:00 pm. Room 205. Subcommittee meeting.

SUBCOMMITTEE ON AGING

Monday, January 31, 2000, 1:00 pm. Hearing Room 4.

SUBCOMMITTEE ON APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 1, 2000, 8:00 am. Hearing Room 4.

Continuing report from Dept. of Natural Resources.

SUBCOMMITTEE ON MEDICAL SERVICES - APPROPRIATIONS SOCIAL SERVICES

Monday, January 31, 2000, 1:30 pm. Hearing Room 2a-2b.

Medical service appropriation.

SUBCOMMITTEE ON ORGAN DONATION

Monday, January 31, 2000, 3:00 pm. Hearing Room 4.

To be considered - HB 1178

SUBCOMMITTEE ON ORGAN DONATION

Tuesday, February 1, 2000, 8:00 am. Hearing Room 7.

To be considered - HB 1178

TRANSPORTATION

Tuesday, February 1, 2000. Side gallery upon morning adjournment.

To be considered - Executive Session - HB 1363

UTILITIES REGULATION

Thursday, February 3, 2000, 8:15 am. Hearing Room 6.

Executive Session may follow. To be considered - HB 1325, HB 1415, HJR 53

WAYS AND MEANS

Tuesday, February 1, 2000, 3:00 pm. Hearing Room 6.

Executive Session to follow.

To be considered - HB 1156, HB 1176, HB 1214, HB 1231, HB 1295, HB 1298, HB 1329, HB 1333, HB 1346, HB 1360, HB 1380, HB 1423, HB 1437, HB 1453, HJR 48, HJR 49, HJR 50

HOUSE CALENDAR

FIFTEENTH DAY, MONDAY, JANUARY 31, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING
HCR 14

HOUSE JOINT RESOLUTION FOR SECOND READING
HJR 64

HOUSE BILLS FOR SECOND READING
HB 1779 through HB 1827

HOUSE JOINT RESOLUTION FOR PERFECTION
HJR 43 - Barry

HOUSE BILL FOR PERFECTION
HCS HB 1362 - Harlan

HOUSE BILL FOR THIRD READING
HB 1506 - Van Zandt

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTEENTH DAY, MONDAY, JANUARY 31, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Heavenly Father, You can help bring unity from diversity, concord from discord, integrity from unreliability.

Today this House gathers together at the beginning of a new month. Rekindle the hope we have that our work here may serve the people of this great state. May our every effort today begin in You and move toward You as the final target. Finally, as we have enjoyed the victory of our state's Super Bowl giants, the St. Louis Rams, may we all move closer to final victory in You, heavenly God, our mercy, our purpose, our goal, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Paul Flo, Brian Kasmarzik, Jessica Merseal, Michele Loveless, Kevin Baisch, Ashley Smith, Natasha Blanks, Adam Dolan, Natalie Pigg, Melanie McKalip, Matt Pope, Sean Thost, Koty Hammond, Janel Malan, Jake Huskey, Ryan Solomon and Meagan Shanks.

The Journal of the fourteenth day was approved as printed by the following vote:

AYES: 140

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Howerton
Kelley 47	Kelly 27	Kennedy	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Linton	Long	Luetkemeyer	Luetkenhaus
Marble	Mays 50	McBride	McClelland	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Nordwald	O'Connor	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Stokan	Summers	Surface

Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 003

Hanaway	Lograsso	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 019

Boykins	Carter	Dolan	Elliott	Enz
Gibbons	Hoppe	Hosmer	Kasten	King
Levin	Liese	Loudon	May 108	McKenna
Naeger	O'Toole	Pryor	Robirds	

VACANCIES: 001

RESOLUTION

Representatives Williams (121) and Sallee offered House Resolution No. 169.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 157 through House Resolution No. 160 - Representative Williams (159)
House Resolution No. 161 - Representative Gaw
House Resolution No. 162 - Representative Patek
House Resolution No. 163 - Representative McLuckie
House Resolution No. 164 through House Resolution No. 167 - Representative Pouche
House Resolution No. 168 - Representative Harlan
House Resolution No. 170 - Representatives Lawson and Kelly (27)

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 14 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 64 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1779 through **HB 1827** were read the second time.

HOUSE ELECTION CONTESTS

House Election Contest No. 1

August 30, 1999

The Honorable Steve Gaw
Speaker of the House
Missouri House of Representatives
State Capitol, Room 308A
Jefferson City, Missouri 65105

Rebecca McDowell Cook
Secretary of State
600 West Main Street
Jefferson City, Mo.

Jeremiah W. Nixon
Attorney General
P.O. Box 899
Jefferson City, Mo.

Rev. Earl Abel, Pastor
Palestine Missionary
Baptist Church of Jesus
Christ
Kansas City, Missouri

Good Morning,

The Missouri Election Laws 115.563 and 115.565, provide for filing a verified petition based on irregularities that occurred in a election. Subject to 115.637, section 3; Class Four election offenses were committed. False ballots were mailed to voters and the names of candidates were arranged in a way other than that authorized by law.

Documentary evidence is attached to the petition and testimonial evidence is available to offer procedural advice concerning the violations and specific irregularities regarding the Special Election held August 3, 1999.

Please reply, I remain

Sincerely,

/s/ Elvis Sonny Gibson

PETITION

Missouri Election Laws
115.563 - 115.565

TO: Speaker of the House of Representatives

The Kansas City Board of Election Commissioners, under the rules of the Missouri Election Laws in force during the Special Election for the 41st District seat held on August 3, 1999, under the authority of the Secretary of State, pursuant to Chapter 115 and Selected Constitutional Provisions; has caused the Special Election to be incorrigible due to unsavory practices in the Election Process. The practices were not Mistake of Fact. The effect of these practices effected the Absentee Voter and the absentee ballot determined by the combination of causes in the intent to mislead the Absentee Voter and irregularities that occurred in the election that contest the qualification of the candidate. This is an estoppel plea of the election violations according to the Missouri Election Law.

Class Four Offense 115.637

- (1) False official absentee ballots mailed to the voter,
- (2) Ballots mailed to the absentee voter absent of the candidates,
- (3) Candidates names/numeral order unauthorized by law.

Irregularities

- * Judges marking ballots at the polling location to indicate the ward and precinct on the day of the election.
- * Two candidates in the election with the same ballot number (14).
- * 41st District Candidates given wrong ballot numbers and listed by name in incorrect order

Elvis Sonny Gibson	15
Mark A. Hawthorne	16
Bobbie J. Campbell	17

- * Certification of the ballot by the Secretary of State was mailed to Kansas City Board of Election Commissioners on June 22, 1999

Melba J. Curls	14
Bobbie J. Campbell	15
Elvis Sonny Gibson	16
Mark A. Hawthorne	17

- * The false ballots were mailed to the Absentee Voter on July 1st.
- * The unopposed candidate of the 42nd District (#14), the opposed candidate of the 41st District (#14) shared the same number. The use of duplicate punch numbers is conduct which is prejudicial on the rights of opposed candidates, and deception to induce the voter to surrender their rights to vote for the candidate of their choice.

/s/ Elvis Sonny Gibson

House Election Contest No. 2

September 15, 1999

The Honorable Steve Gaw
Speaker of the House
Missouri House of Representatives
State Capitol, Room 308A
Jefferson City, MO 65105

The filing of this petition is on behalf of the voters of Kansas City, Missouri, who would like to have an honest and fair election, and who have lost faith in our voting system. The Kansas City Board of Elections under the rules of Missouri Elections Laws (Chapter 115) in force during the August 3, 1999 Special Election, has caused the Special Election to be incorrigible due to unsavory practices. These practices effected the absentee and Election day ballots with the intent to mislead the voters and leave sufficient opportunity for election fraud to occur. The effect of these irregularities may have tainted the election and the count for the candidates and the issues.

We, The Reform Party, petition to contest the results of the August 3, 1999 Special Election under Missouri Laws 115.239, 115.245, 115.287, 115.289, 115.297, 115.423, 115.451, and 115.637.

115.239: Placement of party candidates on ballots. (See examples.)

115.245: Exact wording of the question certified by Secretary of State to appear on ballot. All questions to require a “YES” or “NO” response.

1. The attached photocopy of question #2 is in clear violation of this law.

115.287: Absentee Ballot, how delivered.

1. Statements by absentee voters from senior citizens building.
 - a. Received and returned ballots to apartment manager.
 - b. Some did not vote.
 - c. Received ballot from young man who returned later to pick them up.

115.289: Confidentiality of applications for absentee ballots, list available to authorized persons - free.

1. Ms. Sharon Turner refused on both September 8, 1999 and September 10, 1999 to give the list of applications mailed to absentee voters.

115.297: Precinct registers to show ballots received. Judges to be notified of late absentee ballots received.

1. Poll Judges were unable to determine who had voted absentee or what should be done if an absentee voter should revote without their knowledge.
2. Absentee voters shown in poll books was stamped: “Absentee ballots mailed to:”.

115.423: Ballot box, procedure for handling.

1. Witnesses observed ballot boxes were not sealed or locked when delivered for counting at Election Board on August 3, 1999.

115.451: Judges may read and record votes before polls close, when-

1. The law requires ballot boxes containing the voted ballots to be taken to a private area within the polling place.
2. The Kansas City Election Board has approximately six (6) satellite stations, at different locations than the polling places, with their own employees. Information from some poll judges who had delivered the sealed boxes to the satellite stations, stated that the boxes were unlocked and the votes counted by machines. This practice could easily be suspect.

115.637: Class Four election offenses. See #2, 3 and 7. (See attachments).

2. Printing, circulating, or causing to be printed or circulated, any false and fraudulent sample ballots which appear on their face to be designed as a fraud upon voters;
3. Purposefully giving a printed or written sample ballot to any qualified voter which is intended to mislead the voter;
7. On the part of any person authorized or employed to print official ballots, or any person employed in printing ballots, giving, delivering, or knowingly permitting to be taken any ballot to or by any person other than the official under whose direction the ballots are being printed, any ballot in any form other than that prescribed by law, or with unauthorized names, with names misspelled, or with the names of candidates arranged in any way other than that authorized by law;

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1200 - Critical Issues

HB 1742 - Transportation

REFERRAL OF ELECTION CONTESTS

The following Election Contests were referred to the Committee indicated:

HEC 1 - Elections

HEC 2 - Elections

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1506**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 1216**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1097**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1208**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1215** and **HB 1240**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 1305**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1404 and HB 1262**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education - Elementary and Secondary, Chairman Fitzwater reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1076**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1074**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Governmental Organization and Review, Chairman Murray reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1084**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1376**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1828, introduced by Representatives Gross and Ladd Stokan, relating to mattresses.

HB 1829, introduced by Representatives Levin, Pouche, Gross, Reid and Hendrickson, et al, relating to income taxation.

HB 1830, introduced by Representatives Levin, Pouche, Gross and Hendrickson, et al, relating to tax relief.

HB 1831, introduced by Representatives Levin, Pouche, Gross and Hendrickson, et al, relating to income taxation.

HB 1832, introduced by Representatives Levin and Pouche, et al, relating to tax relief for the elderly.

HB 1833, introduced by Representatives Levin, Pouche and Reid, et al, relating to individual income tax.

HB 1834, introduced by Representatives Levin, Pouche, Gross and Hendrickson, et al, relating to sales tax relief.

HB 1835, introduced by Representatives Levin, Harlan, Hohulin, Linton, Hosmer, Kelly (27), Akin, Dougherty, Reid, Smith, Days, Enz, Bartelsmeyer and Schilling, et al, relating to personal information.

HB 1836, introduced by Representative Patek, relating to county prosecutors.

HB 1837, introduced by Representative Patek, relating to relocation of a child.

HB 1838, introduced by Representative Hollingsworth, relating to the regulations of traffic.

HB 1839, introduced by Representatives Backer, Kissell, Days, Wilson (42), Scheve, Gaw, Kreider and Crump, et al, relating to unlawful drug transactions with a child.

HB 1840, introduced by Representative Froelker, relating to continuation of spousal insurance coverage.

HB 1841, introduced by Representatives Kreider and Robirds, relating to noxious weeds.

HB 1842, introduced by Representatives Burton, Mays (50) and Hegeman, relating to retail electric choices.

HB 1843, introduced by Representative George, et al, relating to election of marshals in cities which contract for police service.

HB 1844, introduced by Representative Kelly (27), relating to house arrestees.

HB 1845, introduced by Representatives Campbell and Van Zandt, relating to higher education sponsors of charter schools.

HB 1846, introduced by Representative Skaggs, relating to the qualifications of police officers in certain cities.

HB 1847, introduced by Representative Skaggs, relating to certain state retirement systems.

WITHDRAWAL OF HOUSE BILLS

January 31, 2000

The Honorable Steve Gaw
Speaker of the House
State Capitol
Room 308
Jefferson City, MO 65101

Dear Speaker of the House,

This letter is requesting for **House Bill 1731** be withdrawn.

Thank you for your assistance.

Sincerely,

/s/ Jewell D. H. Patek

January 31, 2000

Speaker Steve Gaw
House Post Office
Capitol Bldg.
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1724** be withdrawn.

Thank you for your consideration in this matter.

Sincerely,

/s/ Henry Rizzo
State Representative
District 40

The following members' presence was noted: Dolan and Naeger.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 1, 2000.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 2, 2000, 3:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 1402

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, February 1, 2000. Hearing Room 1 upon adjournment.
Dept. of Elementary and Secondary Education, Public testimony - DESE.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 2, 2000. Hearing Room 1 upon adjournment.

Dept. of Public Safety. Public testimony Public Safety, Judiciary and Public Defender.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 1, 2000. Hearing Room 7 upon adjournment.

Public Debt, Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 2, 2000. Hearing Room 7 upon adjournment.

General Assembly, St. Louis Sports Authority.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 1, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services. Public testimony for Pharmacy Medicaid Budget.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 2, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 3, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services.

BUDGET

Tuesday, February 1, 2000, 8:30 am. Hearing Room 3.

Possible Executive Session. CANCELLED.

To be considered - HB 1114

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 2, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session.

To be considered - HB 1319, HB 1324, HB 1393, HB 1425

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 2, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1472, HB 1481, HB 1509, HB 1544, HB 1546

CONSUMER PROTECTION AND HOUSING

Tuesday, February 1, 2000, 8:00 pm. Hearing Room 1.

Executive Session. To be considered - HB 1430, HB 1434, HB 1455

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, February 1, 2000, 8:00 pm. Hearing Room 7.

Executive Session. To be considered - HB 1185, HB 1460

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 1, 2000, 3:00 pm. Hearing Room 3.

To be considered - HB 1073, HB 1183, HB 1221, HB 1361

EDUCATION - HIGHER

Wednesday, February 2, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1486, Executive Session - HB 1161,

Executive Session - HB 1179, Executive Session - HB 1335,

Executive Session - HB 1396

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Wednesday, February 2, 2000. Side gallery upon morning adjournment.

Executive Session.

INSURANCE

Tuesday, February 1, 2000, 8:00 am. Hearing Room 5. AMENDED NOTICE.

To be considered - HB 1148, HB 1292, HB 1595, HCR 10

INTERIM JOINT COMMITTEE ON IMMIGRATION

Wednesday, February 2, 2000, 1:30 pm. Hearing Room 6.

Presentation by Institute for International Studies regarding web site

"Missouri Multicultural Network".

LABOR

Tuesday, February 1, 2000, 5:30 pm. Hearing Room 3. Executive Session.

To be considered - HB 1067, HB 1369, HB 1383, HB 1428

LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Tuesday, February 1, 2000, 9:00 am. Senate Committee Room 1.

Challenge fiscal notes: HB 1395, SB 721

Presentation on Oversight Reports.

Executive Session on Oversight Reports Presented 1-20-00.

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 1, 2000, 3:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1081, HB 1196, HB 1303, HB 1372, HB 1433,

HB 1652, HB 1699

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 2, 2000, 9:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1368, HB 1452

MISSOURI TOBACCO SETTLEMENT

Wednesday, February 2, 2000, 9:00 am. Hearing Room 3.

To be considered - Executive Session - HJR 61

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 1, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1184, HB 1210, HB 1219, HB 1315

MUNICIPAL CORPORATIONS

Wednesday, February 2, 2000, 3:00 pm. Hearing Room 4.

To be considered - HB 1290, HB 1338

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 2, 2000, 5:00 pm. Hearing Room 3.

To be considered - HB 1242, HB 1431, HB 1458, HB 1473, HB 1476

PUBLIC HEALTH

Tuesday, February 1, 2000, 3:00 pm. Hearing Room 4.

Executive Session to follow. AMENDED NOTICE.

To be considered - HB 1085, HB 1568, HB 1574, HB 1640, HCR 6

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, February 1, 2000, 8:30 am. Hearing Room 6.

To be considered - HB 1468, HB 1484, HB 1505

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 8, 2000, 8:00 pm. Hearing Room 6.

To be considered - HB 1400, HB 1450

SUBCOMMITTEE FOR CHILD SUPPORT ENFORCEMENT

Tuesday, February 1, 2000, 8:30 am. Room 313-2.

Subcommittee meeting.

SUBCOMMITTEE ON APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 1, 2000, 8:00 am. Hearing Room 4.

Continuing report from Dept. of Natural Resources.

SUBCOMMITTEE ON MEDICAL SERVICES - APPROPRIATIONS SOCIAL SERVICES

Tuesday, February 1, 2000, 8:00 am. Room B-20.

Appropriations Conference Room. Medical Service Appropriation.

SUBCOMMITTEE ON ORGAN DONATION

Tuesday, February 1, 2000, 8:00 am. Hearing Room 7.

To be considered - HB 1178

SUBCOMMITTEE ON TELEMARKETING - CONSUMER PROTECTION AND HOUSING
Tuesday, February 1, 2000, 3:00 pm. Rep. Jim Kreider's Office, Room 301.
AMENDED NOTICE.

TRANSPORTATION

Tuesday, February 1, 2000. Side gallery upon morning adjournment.
To be considered - Executive Session - HB 1363

UTILITIES REGULATION

Thursday, February 3, 2000, 8:15 am. Hearing Room 6.
Executive Session may follow.
To be considered - HB 1325, HB 1415, HJR 53

WAYS AND MEANS

Tuesday, February 1, 2000, 3:00 pm. Hearing Room 6.
Executive Session to follow.
To be considered - HB 1156, HB 1176, HB 1214, HB 1231, HB 1295, HB 1298,
HB 1329, HB 1333, HB 1346, HB 1360, HB 1380, HB 1423, HB 1437, HB 1453,
HJR 48, HJR 49, HJR 50

HOUSE CALENDAR

SIXTEENTH DAY, TUESDAY, FEBRUARY 1, 2000

HOUSE BILLS FOR SECOND READING

HB 1828 through HB 1847

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 43 - Barry

HOUSE BILLS FOR PERFECTION

HCS HB 1362 - Harlan
HCS HB 1074 - Relford

HOUSE BILL FOR THIRD READING

HB 1506 - Van Zandt

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTEENTH DAY, TUESDAY, FEBRUARY 1, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

The Psalmist says:

For it was You, My God, who created my being...I thank You for the wonder of my being.
Psalm 139:13,14

We thank You, God, for creating our being, and for giving us the ability to be co-creators of this world with You. May we rid our state of those defects, which might mar Your work-----any of the “isms” which keep us apart in any way. May we continue to build those qualities which mirror Your city in the heavens, those traits which have made our state and our nation happy and great. May our work and play be done today with the joyful knowledge that You are in our heart, soul, and hands, that You are the heart, soul, and hands of our planet and of our universe. With gratefulness, may we say to You, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Sarah Brison.

The Journal of the fifteenth day was approved as corrected.

RESOLUTIONS

Representative Evans offered House Resolution No. 172.

Representative Farnen offered House Resolution No. 173.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 171 - Representatives Clayton and Leake

House Resolution No. 174 and House Resolution No. 175 - Representative Hartzler (124)

House Resolution No. 176 - Representative Curls, et al

House Resolution No. 177 through House Resolution No. 180 - Representative Boucher

House Resolution No. 181 - Representative Gaw

SECOND READING OF HOUSE BILLS

HB 1828 through **HB 1847** were read the second time.

Speaker Gaw assumed the Chair.

Mr. Ryan Rippel, President of Boys' Nation, addresses the House:

It was a clear June morning. Just as the bright Missouri sunshine came across the sky and illuminated the Mid-Western landscape, some 960 young men from across this great state converged upon the campus of Central Missouri State University. With their arrival, these young men transformed the town of Warrensburg into a bustling center of government and politics - and they began what would become a week to shape a lifetime. In forming this Missouri Boys State we all proved that while we may have arrived as 960 intimidated, scared, and uncertain individuals, we could develop ties and bonds with the power to mold individuals into one united community. By the end of this week of politics and government, however, we also stumbled on to what I would dare say is the greatest characteristic of citizenship in Missouri and the United States. We found as young people that in Missouri and in these United States democracy does not simply rest in parchment or in the great marble temples of our land, but rather democracy is a chemical reaction that is expressed when one extends a hand in friendship to another. The strength of our state and our nation comes with the connections that form between individuals. I have witnessed this not only at Boys State, but also in my own personal life. When I was three years of age my father was killed in an automobile accident here in Missouri. His death brought with it many challenges to my family, but many lessons to me as a young son. I very quickly learned that in order to survive we must rely on others, we must form connections between ourselves and those around us, and that we must always carry with us examples of the type of people that we want to become. Ultimately, I learned that just as this Capitol was constructed one individual brick cemented to another individual brick to form a symbol of strength and unity, we as young people can come together to form a Boys State, our states can merge and form a union and we as citizens can come together and form a nation.

But, in my journey to Warrensburg and later to Washington to attend Boys Nation, I also learned a great deal about my fellow members of this generation.com. From my very first city meeting at Boys State to my final hug goodbye at Boys Nation, I found myself among some of the most passionate and enthusiastic leaders I have ever met. In fact, I believe that Larry King and Rush Limbaugh were part of the 1999 session of Boys Nation. Regardless of our differences in ideology or ethnic background, we all came together to find a cause and a love far greater than ourselves - that of America. With the example of the veterans who had sacrificed the comforts of home and in many cases their lives in defense of this nation, we as young people found connections with our past that quickly translated into our hopes and dreams for the future. There was one particular moment in Washington when all of this seemed to come together. Standing before the Vietnam War Memorial gazing into the names etched into what seems to be the midnight sky, I looked around and noticed the emotions of the individuals that surround me. Some weeping and crying as they located the name of a loved one, while others moved along in a sense of amazement at the magnitude of this monument to sacrifice. As I was standing there I reached out to touch a name on the wall, and as I extended my hand I noticed my own reflection looking right back at me. I saw that as I reached to connect with the name of that fallen soldier, I saw myself reaching out to my own reflection. To me this seemed as the perfect representation of these experiences with my fellow young people in Warrensburg and Washington. We had grown to see the example set by the patriots of decades past as means for us to connect with a deeper sense of self - to connect as individuals with the great sacrifices of the heroes of ages past and the abilities of the great leaders of our present time. It was at this moment that we saw ourselves as more than just generation.com, we saw ourselves as the next generation of patriots - ready to continue the battle for a better America. And so I say to you this morning, the state of our youth is strong, passionate, alive, and we are eager to form the bonds that make democracy work. As I discovered this summer and have seen within my own high school, the members of our generation.com are working to make a difference in the lives of others. They are striving each day to take back their schools from the threats of violence and many are even eager to become part of the political process that is centered here in Jefferson City. And in many cases it seems as if they are searching for a means to witness their own reflection becoming part of a greater whole. They search for that reflection in you as leaders. And

so in closing I say that the strength of our state and our nation comes when we can look into one another and see our personal reflections transforming into a union between individuals - a connection that can bridge the gap of generations, ethnic backgrounds, and even differing beliefs and ideas.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 43, relating to school district bond elections, was taken up by Representative Barry.

Representative Gibbons offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 43, Page 2, Section 26(b), Line 10, by deleting “, primary”.

On motion of Representative Gibbons, **House Amendment No. 1** was adopted.

On motion of Representative Barry, **HJR 43, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HB 1506, relating to Tobacco Settlement Trust Fund, was taken up by Representative Van Zandt.

On motion of Representative Van Zandt, **HB 1506** was read the third time and passed by the following vote:

AYES: 149

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Bonner
Boucher	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Lograsso	Long	Luetkemeyer
Luetkenhaus	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Stokan	Summers	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159

Wilson 25 Wilson 42 Wright Mr. Speaker

NOES: 008

Bartelsmeyer Evans Hohulin Linton Loudon
Marble Murphy Surface

PRESENT: 000

ABSENT WITH LEAVE: 005

Boatright Boykins Carter Kasten Robirds

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Days moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1228 - Motor Vehicle and Traffic Regulations

HB 1454 - Miscellaneous Bills and Resolutions

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1353 - Public Safety and Law Enforcement

COMMITTEE REPORTS

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1186**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1186, Page 1, Section 1, Line 7, by inserting immediately after said line the following: “**For the purposes of this section, the property to be conveyed, known as the Church Farm Bottoms, is a tract of land in Cole County (approximately eleven hundred acres) lying between the Union Pacific Railroad Lines to the south and the Missouri River to the north. An additional portion of the Church Farm is to be conveyed, it being a triangular parcel of land in Cole County (approximately eighteen acres) lying south of Wade Road.**”

Committee on Public Safety and Law Enforcement, Chairman Kissell reporting:

Mr. Speaker: Your Committee on Public Safety and Law Enforcement, to which was referred **HB 1254**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1363**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 65, introduced by Representative Schilling, relating to the Tobacco Settlement Trust Fund.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1848, introduced by Representative Treadway, relating to examination of physicians and surgeons.

HB 1849, introduced by Representatives Graham (24), Overschmidt, Dolan and Griesheimer, relating to liquor control.

HB 1850, introduced by Representatives Graham (24), Overschmidt and Griesheimer, relating to the division of liquor control.

HB 1851, introduced by Representatives Graham (24), Overschmidt, Dolan and Griesheimer, relating to the use of minors.

HB 1852, introduced by Representative Auer, relating to funds to assist public school teacher housing purchases.

HB 1853, introduced by Representative Auer, relating to encouraging paraprofessional teaching assistants to become teachers.

HB 1854, introduced by Representative Auer, relating to public school beautification programs.

HB 1855, introduced by Representative Clayton, relating to tampering with a judicial officer.

HB 1856, introduced by Representative Clayton, for the purpose of repealing expired provisions of law and sections with contingent effective dates which never became effective.

HB 1857, introduced by Representatives Kennedy and Richardson, relating to immunity from liability for reporting to the state board of registration for the healing arts.

HB 1858, introduced by Representative Dougherty, relating to emancipation of minors.

HB 1859, introduced by Representative Liese, relating to motor vehicle time sales definitions.

HB 1860, introduced by Representatives Fitzwater, Scheve, Berkowitz, Davis (122), Relford, Days, Lakin, Treadway and Barry, relating to recalculating certain at-risk moneys.

HB 1861, introduced by Representative Froelker, relating to sales and use tax on motor vehicles.

HB 1862, introduced by Representative Hagan-Harrell, relating to managed care.

HB 1863, introduced by Representatives Black, Boucher, Chrismer, Wagner, Ross, Tudor and Merideth, et al, relating to an American Legion license plate.

HB 1864, introduced by Representatives McClelland, Gibbons, Hartzler (124), Wright, Marble, Secrest and Hanaway, et al, relating to a tax credit against the state income tax for the payment of real property taxes.

HB 1865, introduced by Representative Fraser, et al, relating to adoption records.

HB 1866, introduced by Representatives O'Connor and Ross, relating to a respect life license plate.

HB 1867, introduced by Representative O'Toole, relating to special education students.

HB 1868, introduced by Representatives Treadway, Holand and Dougherty, relating to the licensure of baccalaureate social workers.

HB 1869, introduced by Representative Treadway, relating to the homeless assistance program.

HB 1870, introduced by Representative Hendrickson, et al, relating to taxation.

HB 1871, introduced by Representative Hendrickson, relating to nursing homes.

HB 1872, introduced by Representative Seigfreid, relating to ethics.

HB 1873, introduced by Representative Scheve, for the purpose of determining the method of calculating increases to available per-pupil funding based on growth in the guaranteed tax base.

HB 1874, introduced by Representative Kissell, et al, relating to health insurance.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Hampton has been appointed a member of the Transportation Committee.
Representative Abel has been appointed a member of the Elections Committee.

WITHDRAWAL OF HOUSE BILLS

February 1, 2000

Honorable Steve Gaw
Speaker
Missouri House of Representatives
Capitol Building
Jefferson City, Missouri 65101

Re: House Bill 1333

Dear Mr. Speaker:

As of this date, February 1, 2000, I am withdrawing **House Bill 1333**. This house bill relates to sales tax on motor vehicles.

Thank you.

Sincerely,

/s/ Mark C. Abel

February 1, 2000

Speaker Steve Gaw
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Speaker Gaw:

I respectfully request to withdraw **HB 1781** from consideration. There was a drafting error on this version of the bill.

Sincerely,

/s/ Rep. Jim Kreider
Speaker Pro Tem

The following member's presence was noted: Boatright.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 2, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifteenth Day, Monday, January 31, 2000, pages 167 and 168, roll call, by showing Representatives Liese and Pryor voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Wednesday, February 2, 2000, 9:30 am. Hearing Room 7.

AGRI-BUSINESS

Wednesday, February 2, 2000. Side gallery upon morning adjournment.

Executive Session.

To be considered - HB 1223, HB 1443

AGRICULTURE

Wednesday, February 2, 2000, 3:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1402

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 2, 2000. Hearing Room 1 upon adjournment.

Dept. of Public Safety. Public testimony Public Safety, Judiciary and Public Defender.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 2, 2000. Hearing Room 7 upon adjournment.

General Assembly, St. Louis Sports Authority.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 2, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 3, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services.

BUDGET

Wednesday, February 2, 2000, 8:30 am. Hearing Room 3.

Possible Executive Session.

To be considered - HB 1114

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 2, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session.

To be considered - HB 1319, HB 1324, HB 1393, HB 1425

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 2, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1472, HB 1481, HB 1509, HB 1544, HB 1546

CONSUMER PROTECTION

Tuesday, February 8, 2000, 8:00 pm. Hearing Room 1.

Executive Session.

To be considered - HB 1227, HB 1237, HB 1464, HB 1512, HB 1519

CRIMINAL LAW

Wednesday, February 2, 2000, 8:00 pm. Hearing Room 7.

Executive Session to follow. AMENDED NOTICE.

To be considered - HB 1465, HB 1508, HB 1615

EDUCATION - HIGHER

Wednesday, February 2, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1486, Executive Session - HB 1161,

Executive Session - HB 1179, Executive Session - HB 1335, Executive Session - HB 1396

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Wednesday, February 2, 2000. Side gallery upon morning adjournment.

Executive Session.

FISCAL REVIEW

Thursday, February 3, 2000, 8:30 am. Hearing Room 1.

Executive Session may follow.

To be considered - HB 1540

INSURANCE

Thursday, February 3, 2000, 9:30 am. Side gallery.

Executive Session.

INTERIM JOINT COMMITTEE ON IMMIGRATION

Wednesday, February 2, 2000, 1:30 pm. Hearing Rm.6.
Presentation by Institute for International Studies regarding
web site "Missouri Multicultural Network".

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 2, 2000, 9:00 am. Hearing Room 6.
Executive Session may follow.
To be considered - HB 1368, HB 1452

MISSOURI TOBACCO SETTLEMENT

Wednesday, February 2, 2000, 9:00 am. Hearing Room 4.
CORRECTED NOTICE.
To be considered - Executive Session - HJR 61

MUNICIPAL CORPORATIONS

Wednesday, February 2, 2000, 3:00 pm. Hearing Room 4.
To be considered - HB 1290, HB 1338

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 2, 2000, 5:00 pm. Hearing Room 3.
To be considered - HB 1242, HB 1431, HB 1458, HB 1473, HB 1476

RETIREMENT

Wednesday, February 2, 2000, 8:00 pm. Hearing Room 1.
To be considered - HB 1265, HB 1356, HB 1558, HB 1593

REVISION SUBCOMMITTEE FOR JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 2, 2000. Senate side gallery upon morning adjournment.
Discussion of Revision Bills.

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 8, 2000, 8:00 pm. Hearing Room 6.
To be considered - HB 1400, HB 1450

SUBCOMMITTEE ON MEDICAL SERVICES - APPROPRIATIONS SOCIAL SERVICES

Wednesday, February 2, 2000, 8:00 am. Hearing Room 5.
Medical Service Appropriation.

**SUBCOMMITTEE ON NATURAL AND ECONOMIC RESOURCES - MISSOURI SOIL AND
WATER CONSERVATION EMPLOYEE BENEFITS**

Wednesday, February 2, 2000. Hearing Room 2A and B upon adjournment.

TRANSPORTATION

Wednesday, February 2, 2000, 3:00 pm. Hearing Room 6.

To be considered - HB 1322, HB 1339, HB 1742, HJR 55, HJR 59

UTILITIES REGULATION

Thursday, February 3, 2000, 8:15 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1325, HB 1415, HJR 53

HOUSE CALENDAR

SEVENTEENTH DAY, WEDNESDAY, FEBRUARY 2, 2000

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 65

HOUSE BILLS FOR SECOND READING

HB 1848 through HB 1874

HOUSE BILLS FOR PERFECTION

HCS HB 1362 - Harlan

HCS HB 1074 - Relford

HB 1363 - Bray

HCS HB 1215 & 1240 - Smith

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SEVENTEENTH DAY, WEDNESDAY, FEBRUARY 2, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Heavenly Father, many put their faith in the signs from nature to predict the future. May this House trust the inner voice of freedom and justice for all as we work one more day to build Your city. Help us to know Your will, and to see Your handwriting in each citizen whom You put in our path. Sign our day and our work with Your seal of love. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emily Adams, Josh Cazar, Christy Key, Jennah Siebert, Jeff Klinkhardt, Dan Kryder, Andrew Cobb, Jonathan Pope and Brandon Cryderman.

The Journal of the sixteenth day was approved as printed by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bennett
Berkowitz	Berkstresser	Black	Boatright	Boucher
Bray 84	Britt	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Stokan	Summers
Surface	Thompson	Townley	Treadway	Troupe

Tudor
Wiggins
Mr. Speaker

Van Zandt
Williams 121

Vogel
Williams 159

Wagner
Wilson 25

Ward
Wilson 42

NOES: 002

Hanaway Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartle
Dougherty

Blunt
Hegeman

Bonner
Kasten

Boykins
Scott

Carter

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 182 - Representative Graham (106)
House Resolution No. 183 - Representative Crawford
House Resolution No. 184 - Representatives Surface, Burton and Elliott
House Resolution No. 185 - Representative Ladd Stokan
House Resolution No. 186 - Representative Riley
House Resolution No. 187 - Representative Lograsso
House Resolution No. 188 - Representative Hegeman
House Resolution No. 189 - Representative Britt
House Resolution No. 190 - Representative Murray
House Resolution No. 191 - Representative Fitzwater
House Resolution No. 192 - Representative Backer
House Resolution No. 193 - Representative Patek
House Resolution No. 194 - Representative Phillips

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 65 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1848 through **HB 1874** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HJR 43**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HB 1362, relating to health insurance, was taken up by Representative Harlan.

Representative Harlan offered **HS HCS HB 1362**.

Representative Kelly (27) offered **House Amendment No. 1**.

Representative Monaco raised a point of order that **House Amendment No. 1** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Koller offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1362, Page 100, Section 379.952, Line 16 of said page, by inserting after all of said line the following:

"376.1150. 1. Beginning July, 2001, any new mandated health insurance coverage for specific health services, specific diseases or for certain providers of health care services approved by the general assembly shall apply only to the Missouri consolidated health care plan established in chapter 103, RSMo, for a period of at least one year beginning with the first anniversary date of the Missouri consolidated health care plan subsequent to the approval of the mandate by the general assembly. On or before March first, after the one-year period for which the mandate has been applied, the board of trustees of the Missouri consolidated health care plan shall submit to the president pro tem of the senate and the speaker of the house of representatives a report indicating the impact such mandated coverage has had on the Missouri consolidated health care plan, including data on the utilization and costs of such mandated coverage. Such report shall also include a recommendation on whether such mandated coverage should continue for the Missouri consolidated health care plan or whether additional utilization and cost data is required.

2. The general assembly shall periodically review all health insurance coverages mandated by state law."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Marble offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

HCS HB 1362, with House Amendment No. 1 and HS, pending, was laid over.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1114**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Consumer Protection and Housing, Chairman Schilling reporting:

Mr. Speaker: Your Committee on Consumer Protection and Housing, to which was referred **HB 1144**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Federal-State Relations and Veterans Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred **HB 1082**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1569**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Missouri Tobacco Settlement, Chairman Van Zandt reporting:

Mr. Speaker: Your Committee on Missouri Tobacco Settlement, to which was referred **HJR 61**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Public Health, Chairman Ladd Stokan reporting:

Mr. Speaker: Your Committee on Public Health, to which was referred **HB 1574 and HB 1640**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1066**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 1066, Section 1, Page 1, Line 3, by inserting after the word “**Code**” the following: “**of 1986, as amended**”.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Carter is no longer a member of the Elections Committee.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 15, introduced by Representative Liese, relating to the National Council of Legislators from Gaming States (NCLGS).

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 66, introduced by Representatives Kreider and Reid, relating to highways and transportation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1875, introduced by Representative Franklin, relating to duties of the state auditor.

HB 1876, introduced by Representatives Campbell and Van Zandt, relating to state aid for charter schools.

HB 1877, introduced by Representative Smith, relating to the deceptive sale or promotion of health-related cash discount cards.

HB 1878, introduced by Representative Burton, relating to rates for certain services provided by water companies.

HB 1879, introduced by Representatives Patek, Secrest, Luetkemeyer, Scott, Myers, Shields and Pryor, et al, relating to health insurance.

HB 1880, introduced by Representatives Hosmer and Chrismer, relating to uniform crime reporting.

HB 1881, introduced by Representative Auer, relating to the state highways and road system.

HB 1882, introduced by Representative Campbell, relating to payment of current real property taxes.

HB 1883, introduced by Representative Days, relating to abandoned or neglected cemeteries.

HB 1884, introduced by Representative Riley, relating to compulsory age for school attendance.

HB 1885, introduced by Representatives Koller, Crump, Schilling, Hampton and Ransdall, et al, relating to driver's privileges.

HB 1886, introduced by Representatives Scheve, Reid, McClelland, Levin, Kissell, Fraser and Lakin, et al, relating to the school district trust fund.

HB 1887, introduced by Representatives Liese, Schilling, Bray, Hilgemann, Riback Wilson (25), Gunn and O'Connor, et al, relating to the commission on the death penalty.

HB 1888, introduced by Representatives Wilson (42), Gaw, Riley, Thompson, Fraser, Troupe, Shelton, Gunn, Auer and Dougherty, et al, relating to a loan repayment assistance program for teachers working in certain school districts.

HB 1889, introduced by Representatives Rizzo, Skaggs, Riley, Hoppe, Curls and Ross, relating to assault of a law enforcement officer.

HB 1890, introduced by Representatives Boucher and Gunn, relating to religious and charitable organizations.

HB 1891, introduced by Representatives Myers and Foster, relating to certain linked deposits for agricultural and small business assistance.

HB 1892, introduced by Representative Kelley (47), relating to grave lot conveyances.

HB 1893, introduced by Representatives Barry, Campbell, Graham (24), Backer and Kennedy, et al, relating to English proficiency for college instructors.

HB 1894, introduced by Representatives Scott, Marble and Hartzler (124), et al, relating to the unused property market.

HB 1895, introduced by Representative Mays (50), relating to retail electric choices.

HB 1896, introduced by Representatives Campbell and Van Zandt, relating to charter schools.

HB 1897, introduced by Representative O'Toole, relating to executions and exemptions.

HB 1898, introduced by Representative Koller, et al, relating to commercial drivers' licenses.

HB 1899, introduced by Representative Loudon, relating to public and business records.

HB 1900, introduced by Representative Green, relating to back-up devices for trucks.

HB 1901, introduced by Representative Gibbons, relating to tax refunds.

HB 1902, introduced by Representative Hollingsworth, relating to manufactured housing.

HB 1903, introduced by Representative Hoppe, relating to regulation of stretcher vans.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 3, 2000.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, February 3, 2000. Hearing Room 1 upon adjournment.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 7, 2000, 1:00 pm. Hearing Room 7. Begin mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 7, 2000, 12:00 pm. Hearing Room 5. Mark-up.
Depts. of Agriculture, Conservation, Insurance and Labor.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 8, 2000, 1:00 pm. Hearing Room 5. Mark-up.
Dept. of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 9, 2000. Hearing Room 5 upon adjournment.
Mark-up Dept. of Natural Resources.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 3, 2000, 8:00 am. Hearing Room 3.
Dept. of Social Services. CORRECTED NOTICE.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 3, 2000. Hearing Room 3 upon adjournment.
Dept. of Social Services.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 3.
Presentation on the Federal Financial Modernization Act of 1999.

CONSUMER PROTECTION

Tuesday, February 8, 2000, 8:00 pm. Hearing Room 1. Executive Session.
To be considered - HB 1227, HB 1237, HB 1464, HB 1512, HB 1519

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 3.

To be considered - HB 1089, HB 1261, HB 1267, HB 1474

FISCAL REVIEW

Thursday, February 3, 2000, 8:30 am. Hearing Room 1.

Executive Session may follow.

To be considered - HB 1540

INSURANCE

Thursday, February 3, 2000, 9:30 am. Side gallery.

Executive Session.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 3, 2000, 8:00 am. Hearing Room 5.

JUDICIARY

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1384, HB 1388, HB 1494

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, February 3, 2000. Side gallery upon adjournment.

Executive Session.

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 8, 2000, 8:00 pm. Hearing Room 6.

To be considered - HB 1400, HB 1450

UTILITIES REGULATION

Thursday, February 3, 2000, 8:15 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1325, HB 1415, HJR 53

WAYS AND MEANS

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 6.

Executive Session possible.

To be considered - HB 1244, HB 1296, HB 1302, HB 1343, HB 1419, HB 1456,
HB 1516, HB 1566, HB 1567, HB 1583

HOUSE CALENDAR

EIGHTEENTH DAY, THURSDAY, FEBRUARY 3, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING
HCR 15

HOUSE JOINT RESOLUTION FOR SECOND READING
HJR 66

HOUSE BILLS FOR SECOND READING
HB 1875 through HB 1903

HOUSE JOINT RESOLUTION FOR PERFECTION
HCS HJR 61 - Van Zandt

HOUSE BILL FOR PERFECTION - APPROPRIATIONS
HCS HB 1114 - Franklin

HOUSE BILLS FOR PERFECTION
HCS HB 1362, HA 1 and HS, pending - Harlan
HCS HB 1074 - Relford
HB 1363 - Bray
HCS HB 1215 & 1240 - Smith
HCS HB 1144 - Scheve

HOUSE JOINT RESOLUTION FOR THIRD READING
HJR 43 - Barry

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

EIGHTEENTH DAY, THURSDAY, FEBRUARY 3, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Ralph Robinette, Sergeant at Arms.

Dear Lord, forgive our prejudices that make us unhappy with some people in our society and country. Fill our hearts with the holy spirit and make it our convictions that You are using our diversity to make us stronger and bringing more people to their Lord. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Robert Carty, Georgia Wilson, Gillian Gones, Amia Spavale, Brian Sterlin, Jessica Klosterman, Samantha Rhoades and Rebekah Zeikle.

The Journal of the seventeenth day was approved as corrected.

RESOLUTIONS

Representative Loudon offered House Resolution No. 199

Representative Harlan offered House Resolution No. 200

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 195	-	Representative Monaco
House Resolution No. 196	-	Representative Foster
House Resolution No. 197	-	Representatives Kasten and Schwab
House Resolution No. 198	-	Representative Dolan
House Resolution No. 201	-	Representative Secrest

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 15 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 66 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1875 through **HB 1903** were read the second time.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 43, relating to school district bond elections, was taken up by Representative Barry.

On motion of Representative Barry, **HJR 43** was read the third time and passed by the following vote:

AYES: 109

Abel	Auer	Backer	Barry 100	Bartelsmeyer
Bartle	Bennett	Berkowitz	Bonner	Boucher
Britt	Campbell	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Fraser	Froelker	Gambaro	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hendrickson	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelley 47	Kelly 27	Kennedy	King	Kissell
Koller	Kreider	Lakin	Leake	Liese
Loudon	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	O'Connor
Ostmann	Overschmidt	Parker	Patek	Ransdall
Reid	Reinhart	Relford	Reynolds	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan
Thompson	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 041

Akin	Alter	Ballard	Barnett	Berkstresser
Black	Blunt	Boatright	Burton	Champion
Chrismer	Cierpiot	Crawford	Elliott	Gaskill
Griesheimer	Gross	Hanaway	Hohulin	Holand
Howerton	Legan	Levin	Linton	Lograsso
Long	Luetkemeyer	Marble	Murphy	Nordwald
O'Toole	Phillips	Pouche	Pryor	Purgason
Richardson	Ridgeway	Summers	Surface	Townley
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Boykins	Bray 84	Carter	Clayton	Dougherty
Franklin	Hegeman	Hickey	Kasten	Klindt
Lawson	Scott			

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative McKenna, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Fraser moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HB 1362, with House Amendment No. 1 and HS, pending, relating to health insurance, was taken up by Representative Harlan.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1362, Page 59, Section 376.986, Line 7 of said page, by inserting after all of said line the following:

"376.1150. 1. Beginning July, 2001, any new mandated health insurance coverage for specific health services, specific diseases or for certain providers of health care services approved by the general assembly shall apply only to the Missouri consolidated health care plan established in chapter 103, RSMo, for a period of at least one year beginning with the first anniversary date of the Missouri consolidated health care plan subsequent to the approval of the mandate by the general assembly. On or before March first, after the one-year period for which the mandate has been applied, the board of trustees of the Missouri consolidated health care plan shall submit to the president pro tem of the senate and the speaker of the house of representatives a report indicating the impact such mandated coverage has had on the Missouri consolidated health care plan, including data on the utilization and costs of such mandated coverage. Any increased costs to state employees as a result of such mandated coverage shall be borne by the Missouri consolidated health care plan. Such report shall also include a recommendation on whether such mandated coverage should continue for the Missouri consolidated health care plan or whether additional utilization and cost data is required.

2. The general assembly shall periodically review all health insurance coverages mandated by state law.";
and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Gaw assumed the Chair.

Representative Shields moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 024

Akin	Auer	Chrismer	Crawford	Foster
Froelker	Gibbons	Hanaway	Hartzler 123	Hendrickson
King	Linton	Lograsso	McClelland	Naeger
Ostmann	Patek	Ridgeway	Schwab	Shields
Summers	Townley	Tudor	Wright	

NOES: 121

Abel	Alter	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher
Britt	Burton	Campbell	Champion	Cierpiot
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Fraser	Gambaro
Gaskill	George	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 124	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Nordwald	O'Connor	O'Toole
Overschmidt	Phillips	Pouche	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Riley	Rizzo	Ross	Sallee
Scheve	Schilling	Secrest	Seigfreid	Selby
Skaggs	Smith	Surface	Thompson	Treadway
Troupe	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 017

Berkstresser	Boykins	Bray 84	Carter	Clayton
Dougherty	Franklin	Hegeman	Hickey	Kasten
Klindt	Lawson	Parker	Robirds	Scott
Shelton	Stokan			

VACANCIES: 001

On motion of Representative Koller, **House Amendment No. 1** was adopted by the following vote:

AYES: 086

Abel	Akin	Alter	Auer	Ballard
Barnett	Bartelsmeyer	Bartle	Bennett	Black
Blunt	Boatright	Bonner	Burton	Champion
Chrismer	Cierpiot	Crawford	Dolan	Elliott
Enz	Evans	Foster	Froelker	Gaskill
Gibbons	Graham 106	Gratz	Griesheimer	Gross
Gunn	Hampton	Hanaway	Hartzler 123	Hartzler 124
Hendrickson	Hohulin	Hoppe	Howerton	Kelley 47
King	Kissell	Koller	Kreider	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	McClelland
Merideth	Miller	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche	Pryor
Purgason	Reinhart	Richardson	Ridgeway	Rizzo
Ross	Sallee	Schwab	Secrest	Seigfreid
Shields	Stokan	Summers	Surface	Townley
Tudor	Vogel	Wagner	Ward	Williams 159
Wright				

NOES: 061

Backer	Barry 100	Berkowitz	Boucher	Britt
Campbell	Crump	Curls	Davis 122	Davis 63

Days	Farnen	Fitzwater	Foley	Ford
Fraser	Gambaro	George	Graham 24	Green
Hagan-Harrell	Harlan	Hilgemann	Holand	Hollingsworth
Hosmer	Kelly 27	Kennedy	Lakin	Leake
May 108	Mays 50	McBride	McKenna	McLuckie
Monaco	Murphy	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Reid	Relford
Reynolds	Riley	Scheve	Schilling	Selby
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wiggins	Williams 121	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 015

Berkstresser	Boykins	Bray 84	Carter	Clayton
Dougherty	Franklin	Hegeman	Hickey	Kasten
Klindt	Lawson	Robirds	Scott	Shelton

VACANCIES: 001

Representative Harlan offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1362, Page 30, Section 376.772, Line 12, by inserting immediately after the word "**section**" the following:

"; provided that two million dollars per year for each of three years beginning July 1, 2001 shall be contributed from the general revenue fund to such association for the purpose of compensating for losses related to enrolling individuals without the use of underwriting standards pursuant to subdivisions (1) and (2) of subsection 2 of section 376.771."

Representative Abel offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1362, Page 30, Section 376.772, Line 12, by inserting immediately after the word "**section**" the following:

"; provided that two million dollars per year for each of three years beginning July 1, 2001 shall be contributed from the general revenue fund to such association for the purpose of compensating for losses related to enrolling individuals without the use of underwriting standards pursuant to subdivisions (1) and (2) of subsection 2 of section 376.771."; and

Further amend on Page 32, Line 14, by changing [eighty-six] to **ninety**; and

Further amend Page 32, Line 23, by changing [eighty-six] to **ninety**.

Representative Abel moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 012

Abel	Auer	Davis 63	Evans	George
Green	Gunn	Kissell	Linton	McKenna
Seigfreid	Wagner			

NOES: 129

Akin	Alter	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher
Britt	Burton	Campbell	Champion	Chrismer
Cierpiot	Crawford	Crump	Curls	Davis 122
Days	Dolan	Elliott	Enz	Farnen
Fitzwater	Foley	Foster	Fraser	Froelker
Gambaro	Gaskill	Gibbons	Graham 106	Graham 24
Gratz	Griesheimer	Gross	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Patek	Phillips	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Secrest	Selby
Shields	Skaggs	Smith	Stokan	Summers
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Ward	Wiggins	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 021

Berkstresser	Boykins	Bray 84	Carter	Clayton
Dougherty	Ford	Franklin	Hegeman	Hickey
Hoppe	Kasten	Klindt	Lawson	Parker
Pouche	Robirds	Scott	Shelton	Surface
Williams 121				

VACANCIES: 001

Representative Patek offered **House Substitute Amendment No. 2 for House Amendment No. 2.**

*House Substitute Amendment No. 2
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1362, Page 30, Section 376.772, Line 12, by inserting immediately after the word "**section**" the following:

"; provided that 50 percent of the total beginning July 1, 2001 shall be contributed from the general revenue fund to such association for the purpose of compensating for losses related to enrolling individuals without the use of underwriting standards pursuant to subdivisions (1) and (2) of subsection 2 of section 376.771."

On motion of Representative Patek, **House Substitute Amendment No. 2 for House Amendment No. 2** was adopted.

HCS HB 1362, with HS, as amended, pending, was laid over.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 14 - Environment and Energy

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 57 - Governmental Organization and Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1392 - Missouri Tobacco Settlement
HB 1394 - Miscellaneous Bills and Resolutions
HB 1448 - Ways and Means
HB 1503 - Criminal Law
HB 1517 - Criminal Law
HB 1562 - Professional Registration and Licensing
HB 1601 - Environment and Energy
HB 1603 - Motor Vehicle and Traffic Regulations
HB 1604 - Correctional and State Institutions
HB 1605 - Public Health
HB 1606 - Ways and Means
HB 1607 - Critical Issues
HB 1608 - Criminal Law
HB 1609 - Education - Higher
HB 1610 - Education - Elementary and Secondary
HB 1612 - Ways and Means
HB 1613 - Retirement
HB 1614 - Education - Elementary and Secondary
HB 1616 - Insurance
HB 1617 - Banks and Financial Institutions
HB 1618 - Ways and Means
HB 1619 - Environment and Energy
HB 1620 - Education - Elementary and Secondary
HB 1621 - Education - Elementary and Secondary

HB 1622 - Ways and Means
HB 1623 - Transportation
HB 1625 - Ways and Means
HB 1626 - Commerce
HB 1627 - Governmental Organization and Review
HB 1628 - Governmental Organization and Review
HB 1629 - Commerce
HB 1630 - Missouri Tobacco Settlement
HB 1631 - Local Government and Related Matters
HB 1632 - Miscellaneous Bills and Resolutions
HB 1635 - Insurance
HB 1636 - Elections
HB 1637 - Elections
HB 1638 - Ways and Means
HB 1639 - Transportation
HB 1641 - Criminal Law
HB 1642 - Insurance
HB 1643 - Ways and Means
HB 1644 - Retirement
HB 1645 - Motor Vehicle and Traffic Regulations
HB 1647 - Local Government and Related Matters
HB 1648 - Children, Youth and Families
HB 1649 - Critical Issues
HB 1650 - Public Health
HB 1651 - Local Government and Related Matters
HB 1653 - Education - Elementary and Secondary
HB 1654 - Correctional and State Institutions
HB 1655 - Environment and Energy
HB 1656 - Local Government and Related Matters
HB 1657 - Civil and Administrative Law
HB 1658 - Criminal Law
HB 1661 - Municipal Corporations
HB 1663 - Local Government and Related Matters
HB 1665 - Public Safety and Law Enforcement
HB 1666 - Ways and Means
HB 1668 - Critical Issues
HB 1670 - Criminal Law
HB 1671 - Civil and Administrative Law
HB 1672 - Transportation
HB 1673 - Social Services, Medicaid and the Elderly
HB 1675 - Children, Youth and Families
HB 1676 - Children, Youth and Families
HB 1677 - Children, Youth and Families
HB 1678 - Children, Youth and Families
HB 1679 - Criminal Law

HB 1680 - Insurance
HB 1681 - Insurance
HB 1682 - Governmental Organization and Review
HB 1683 - Agri-Business
HB 1684 - Local Government and Related Matters
HB 1685 - Professional Registration and Licensing
HB 1686 - Education - Elementary and Secondary
HB 1687 - Ways and Means
HB 1688 - Judiciary
HB 1690 - Ways and Means
HB 1691 - Municipal Corporations
HB 1692 - Criminal Law
HB 1693 - Civil and Administrative Law
HB 1694 - Education - Elementary and Secondary
HB 1695 - Retirement
HB 1696 - Criminal Law
HB 1697 - Public Safety and Law Enforcement
HB 1698 - Municipal Corporations
HB 1700 - Ways and Means
HB 1701 - Agriculture
HB 1702 - Education - Elementary and Secondary
HB 1703 - Civil and Administrative Law
HB 1704 - Criminal Law
HB 1705 - Municipal Corporations
HB 1706 - Commerce
HB 1707 - Labor
HB 1708 - Local Government and Related Matters
HB 1709 - Education - Elementary and Secondary
HB 1710 - Local Government and Related Matters
HB 1711 - Public Health
HB 1712 - Children, Youth and Families
HB 1713 - Education - Elementary and Secondary
HB 1714 - Transportation
HB 1715 - Motor Vehicle and Traffic Regulations
HB 1716 - Judiciary
HB 1717 - Elections
HB 1718 - Civil and Administrative Law
HB 1719 - Social Services, Medicaid and the Elderly
HB 1721 - Transportation
HB 1722 - Motor Vehicle and Traffic Regulations
HB 1723 - Professional Registration and Licensing
HB 1725 - Criminal Law
HB 1726 - Ways and Means
HB 1727 - Local Government and Related Matters
HB 1728 - Governmental Organization and Review

- HB 1729** - Critical Issues
- HB 1730** - Agriculture
- HB 1732** - Education - Elementary and Secondary
- HB 1733** - Governmental Organization and Review
- HB 1734** - Criminal Law
- HB 1735** - Ways and Means
- HB 1736** - Federal-State Relations and Veterans Affairs
- HB 1737** - Insurance
- HB 1738** - Criminal Law
- HB 1739** - Insurance
- HB 1740** - Retirement
- HB 1741** - Criminal Law
- HB 1743** - Professional Registration and Licensing
- HB 1744** - Transportation
- HB 1745** - Ways and Means
- HB 1746** - Ways and Means
- HB 1747** - Critical Issues
- HB 1748** - Transportation
- HB 1749** - Local Government and Related Matters
- HB 1750** - Miscellaneous Bills and Resolutions
- HB 1751** - Ways and Means
- HB 1752** - Education - Elementary and Secondary
- HB 1753** - Education - Elementary and Secondary
- HB 1754** - Public Health
- HB 1755** - Ways and Means
- HB 1756** - Ways and Means
- HB 1757** - Public Safety and Law Enforcement
- HB 1758** - Education - Elementary and Secondary
- HB 1759** - Public Health
- HB 1760** - Local Government and Related Matters
- HB 1761** - Education - Elementary and Secondary
- HB 1764** - Retirement
- HB 1765** - Education - Elementary and Secondary
- HB 1766** - Local Government and Related Matters
- HB 1767** - Motor Vehicle and Traffic Regulations
- HB 1768** - Local Government and Related Matters
- HB 1769** - Correctional and State Institutions
- HB 1770** - Civil and Administrative Law
- HB 1771** - Public Safety and Law Enforcement
- HB 1772** - Commerce
- HB 1773** - Ways and Means
- HB 1774** - Ways and Means
- HB 1775** - Miscellaneous Bills and Resolutions
- HB 1776** - Civil and Administrative Law
- HB 1777** - Retirement

HB 1778 - Utilities Regulation
HB 1779 - Criminal Law
HB 1780 - Banks and Financial Institutions
HB 1782 - Ways and Means
HB 1783 - Motor Vehicle and Traffic Regulations
HB 1784 - Education - Elementary and Secondary
HB 1785 - Education - Elementary and Secondary
HB 1786 - Education - Elementary and Secondary
HB 1787 - Ways and Means
HB 1788 - Education - Elementary and Secondary
HB 1789 - Education - Elementary and Secondary
HB 1790 - Retirement
HB 1791 - Correctional and State Institutions
HB 1792 - Education - Elementary and Secondary
HB 1810 - Ways and Means

COMMITTEE REPORTS

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1142**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions was referred **HB 1185**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions was referred **HB 1321**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1289**, begs leave to report it has examined the same and recommends that it **Do Pass By Consent**.

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1161**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1335**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1396**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HCR 10**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 10

WHEREAS, the legislature determines it is advisable to promote uniformity among the methods used by insurers of this state to valuate life insurance policies; and

WHEREAS, the National Association of Insurance Commissioners have adopted model regulations for the valuation of life insurance policies which, if used by insurers in this state, would unify the valuation of life insurance policies in this state; and

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby direct the department of insurance to promulgate regulations governing the valuation of life insurance policies and hereby recommend that the department of insurance adopt the "Valuation of Life Insurance Policies Model Regulation" adopted by the National Association of Insurance Commissioners.

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1292**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 67, introduced by Representative Hollingsworth, relating to the highways and transportation commission.

HJR 68, introduced by Representative Gratz, relating to the state highways and transportation.

HJR 69, introduced by Representatives Blunt, Legan and Nordwald, et al, relating to land purchases by either the department of conservation or the conservation commission.

HJR 70, introduced by Representatives Hanaway, Naeger and Tudor, et al, relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1904, introduced by Representative Hosmer, relating to false claims against the state.

HB 1905, introduced by Representative Abel, relating to sales taxes and fees for motor vehicle registrations, driver's licenses and title applications.

HB 1906, introduced by Representative Blunt, et al, relating to intoxication-related traffic offenses.

HB 1907, introduced by Representatives Sallee, Shields and Lawson, relating to public administrators.

HB 1908, introduced by Representatives Sallee, Blunt, Champion, Secrest, Chrismer, Cierpiot, Berkstresser and Reinhart, et al, relating to veterans' affairs.

HB 1909, introduced by Representatives Sallee, Berkstresser, Marble, Secrest, et al, relating to the prevailing wage.

HB 1910, introduced by Representative Hollingsworth, relating to state-funded child care.

HB 1911, introduced by Representative Ladd Stokan, relating to the promotion of obesity awareness prevention and education activities by the department of health.

HB 1912, introduced by Representative Ladd Stokan, relating to reimbursement rates for in-home service providers.

HB 1913, introduced by Representative Luetkenhaus, relating to clean water permit fees.

HB 1914, introduced by Representative Crump, relating to retirement of certain state employees.

HB 1915, introduced by Representatives May (108), Murray, Fraser, Gambaro, Thompson, Kennedy, Hagan-Harrell, Gunn, O'Toole, Shelton, Dougherty, Hilgemann, Ostmann and Bennett, relating to the downtown revitalization act.

HB 1916, introduced by Representatives Farnen and Legan, relating to tuition at the University of Missouri.

HB 1917, introduced by Representative Kelly (27), relating to delivery of prisoners.

HB 1918, introduced by Representative Kelly (27), relating to the joint committee on corrections.

HB 1919, introduced by Representative Tudor, et al, relating to confidentiality of birth records.

HB 1920, introduced by Representatives Tudor, Blunt and Summers, et al, relating to crimes against children.

HB 1921, introduced by Representatives Hartzler (124), Blunt and Legan, et al, relating to capital purchases by farmers.

HB 1922, introduced by Representatives Koller, Hampton, McKenna and Wagner, relating to the establishment of the Kurt Warner Rams road.

HB 1923, introduced by Representatives Ransdall, Gaw, Hampton, Reynolds, Kissell, Ross and Merideth, et al, relating to educational assistance for members of the Missouri national guard.

HB 1924, introduced by Representatives Legan, Ballard, Elliott and Myers, et al, relating to restrictions on reintroducing wild elk.

HB 1925, introduced by Representatives Scheve, May (108), Froelker, Foley, O'Toole, Hanaway and Gibbons, relating to tax relief for research and development.

HB 1926, introduced by Representative Wiggins, relating to tank wagons.

HB 1927, introduced by Representative Wiggins, relating to water pollution permit fees.

HB 1928, introduced by Representatives Howerton, Relford, Fitzwater, Hartzler (124) and Patek, et al, relating to the operation of private prisons.

HB 1929, introduced by Representative Curls, relating to visitation rights.

HB 1930, introduced by Representative Hoppe, relating to service agreements between water districts and municipal water companies.

HB 1931, introduced by Representative Hoppe, relating to water district debt.

HB 1932, introduced by Representatives Harlan, Gaw, Van Zandt, Holand, Leake, Pryor, Monaco, Days and Griesheimer, et al, relating to managed care.

HB 1933, introduced by Representatives Harlan, Van Zandt, Monaco, McClelland and Bray, relating to tax credits on workers' compensation tax premiums.

HB 1934, introduced by Representatives Bray, Murphy, Riback Wilson (25), Schilling and Harlan, et al, relating to public financing of certain election campaigns.

HB 1935, introduced by Representatives Monaco, Boucher, Mays (50), Bonner, Liese and Riley, et al, relating to child protection.

HB 1936, introduced by Representatives Monaco, Ross, Mays (50), Cierpiot, Bartle and Boucher, et al, relating to county political party committee representation.

HB 1937, introduced by Representative Schilling, relating to grand jury proceedings.

HB 1938, introduced by Representatives Gaw, Scheve, Davis (122), Abel, Ransdall, Foley, Kreider, and Kennedy, et al, relating to property tax relief for low income elderly persons.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 549**, entitled:

An act to amend chapter 196, RSMo, by adding thereto one new section relating to the establishment of the Missouri tobacco settlement trust fund, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

February 2, 2000

Speaker Steve Gaw
Missouri House of Representatives
State Capitol
Jefferson City, Missouri 65101

Re: HB 1611 relating to family courts

Dear Mr. Speaker:

I respectfully request to withdraw **HB 1611** from consideration. There was a drafting error on this version of the bill.

Thank you.

Sincerely,

/s/ Annie Reinhart

The following member's presence was noted: Clayton.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, February 7, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Seventeenth Day, Wednesday, February 2, 2000, pages 191 and 192, roll call, by showing Representative Blunt voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 7, 2000, 1:00 pm. Hearing Room 7.

Begin mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 8, 2000. Hearing Room 7 upon morning adjournment.

Mark-up continues.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 9, 2000. Hearing Room 7 upon morning adjournment.

Mark-up continues. CANCELLED.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 7, 2000, 12:00 pm. Hearing Room 5.

Mark-up. Depts. of Agriculture, Conservation, Insurance and Labor.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 8, 2000, 1:00 pm. Hearing Room 5.

Mark-up. Dept. of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 9, 2000. Hearing Room 5 upon adjournment.

Mark-up. Dept. of Natural Resources.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 8, 2000, 8:00 am. Hearing Room 3.

Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 8, 2000. Hearing Room 3 upon adjournment.

Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 9, 2000. Hearing Room 3 upon adjournment.

Dept. of Corrections public testimony.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 3.

Presentation on the Federal Financial Modernization Act of 1999.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1421

CONSUMER PROTECTION

Tuesday, February 8, 2000, 8:00 pm. Hearing Room 1. Executive Session.
To be considered - HB 1227, HB 1237, HB 1464, HB 1512, HB 1519

CRITICAL ISSUES

Monday, February 7, 2000, 8:00 pm. Hearing Room 3.
To be considered - HB 1207, HB 1323, HB 1459, Executive Session - HJR 42

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 3. AMENDED NOTICE.
To be considered - HB 1261, HB 1267, HB 1474, HB 1599

INSURANCE

Tuesday, February 8, 2000, 8:00 am. Hearing Room 5.
To be considered - HB 1555, HB 1597, HB 1642, HB 1681, HB 1737

INTERIM JOINT COMMITTEE ON IMMIGRATION

Wednesday, February 9, 2000, 2:00 pm. Hearing Room 4.

JOINT COMMITTEE ON WETLANDS

Monday, February 7, 2000, 1:00 pm. Hearing Room 1.
Briefing Dept. of Natural Resources. CANCELLED.

JUDICIARY

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 5.
AMENDED NOTICE. Executive Session may follow.
To be considered - HB 1384, HB 1388, HB 1494

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 1.
Executive Session to follow.
To be considered - HB 1603

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2000, 8:00 pm. Hearing Room 5.
AMENDED NOTICE. To be considered - HB 1253, HB 1283, HB 1591

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, February 8, 2000, 8:30 am. Hearing Room 6.
Executive Session may follow.
To be considered - HB 1353, HB 1511, HB 1585

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 8, 2000, 7:30 pm. Hearing Room 6.
AMENDED NOTICE. To be considered - HB 1400, HB 1450

**SUBCOMMITTEE FOR FAMILY SERVICES - APPROPRIATIONS SOCIAL SERVICES
AND CORRECTIONS**

Monday, February 7, 2000, 2:00 pm. Room 205.

SUBCOMMITTEE ON MEDICAL SERVICES - APPROPRIATIONS SOCIAL SERVICES

Monday, February 7, 2000, 2:30 pm. Hearing Room 1.

Medical Service Appropriation. Public testimony.

WAYS AND MEANS

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 6.

Executive Session possible.

To be considered - HB 1244, HB 1296, HB 1302, HB 1343, HB 1419, HB 1456,
HB 1516, HB 1566, HB 1567, HB 1583

HOUSE CALENDAR

NINETEENTH DAY, MONDAY, FEBRUARY 7, 2000

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 67 through HJR 70

HOUSE BILLS FOR SECOND READING

HB 1904 through HB 1938

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61 - Van Zandt

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1114 - Franklin

HOUSE BILLS FOR PERFECTION

HCS HB 1362, HS, as amended, pending - Harlan

HCS HB 1074 - Relford

HB 1363 - Bray

HCS HB 1215 & 1240 - Smith

HCS HB 1144 - Scheve

HB 1321 - Relford

HCS HB 1142 - Ransdall

HB 1186, HCA 1 - Gratz

SENATE BILL FOR SECOND READING

SS SB 549

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

NINETEENTH DAY, MONDAY, FEBRUARY 7, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Loving God, lift from our hearts all that discourages, all cynicism, all that builds distrust of one another and destroys our faith in the people of Missouri. Give to the men and women of this House, and to the staff that supports them, a deep faith in our basic principles of democracy. Keep them working for the good of all, and particularly for the good of those whose needs are great.

Bless these men and women, keep them in Your Holy peace, for the sake of the work they are called to do. To You be glory and honor, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighteenth day was approved as corrected by the following vote:

AYES: 153

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Patek
Phillips	Pouche	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Stokan	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 002

Hanaway Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Crump Evans Hoppe Kasten Parker
Ridgeway Robirds

VACANCIES: 001

HOUSE RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 202 - Representative Gaskill
House Resolution No. 203 - Representative Gunn
House Resolution No. 204 - Representative Selby
House Resolution No. 205 - Representative Long
House Resolution No. 206 through House Resolution No. 210 - Representative McClelland
House Resolution No. 211 - Representative Liese
House Resolution No. 212 - Representative Miller
House Resolution No. 213 - Representative Fitzwater
House Resolution No. 214 - Representative Seigfreid
House Resolution No. 215 - Representative Reynolds
House Resolution No. 216 - Representative Van Zandt
House Resolution No. 217 - Representative Ward

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 67 through **HJR 70** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1904 through **HB 1938** were read the second time.

SECOND READING OF SENATE BILL

SS SB 549 was read the second time.

Speaker Gaw assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1362, with HS, as amended, pending, relating to health insurance, was taken up by Representative Harlan.

Representative Harlan offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1362, Page 100, Section 379.952, Line 16, by inserting immediately after said line the following:

"Section 1. Prior to the general assembly's consideration of any bill that mandates health insurance coverage for specific health services, specific diseases, or for certain providers of health care services, the person who seeks sponsorship of such proposal shall submit to the legislative committees to which the proposal is assigned an impact report that assesses both the social and financial effects of the proposed mandated coverage. For purposes of this section, mandated health insurance coverage shall include mandated optional benefits. The director of the department of insurance shall cooperate with, assist and provide information to any person required to submit an impact report under the provisions of this section."; and

Further amend said bill's title and enacting clause accordingly.

Representative Patek raised a point of order that **House Amendment No. 3** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1362, Page 100, Section 379.952, Line 16, by inserting immediately after said line the following:

"Section 1. 1. Prior to the general assembly's consideration of any bill that mandates health insurance coverage for specific health services, specific diseases, or for certain providers of health care services, the person who seeks sponsorship of such proposal shall submit to the legislative committees to which the proposal is assigned an impact report that assesses both the social and financial effects of the proposed mandated coverage. For purposes of this section, mandated health insurance coverage shall include mandated optional benefits. The director of the department of insurance shall cooperate with, assist and provide information to any person required to submit an impact report under the provisions of this section.

2. The report required pursuant to subsection 1 of this section shall include at the minimum and to the extent that information is available, the following:

- (1) The social impact, including:**
 - (a) The extent to which the treatment or service is generally utilized by a significant portion of the population;**
 - (b) The extent to which such insurance coverage is already generally available;**
 - (c) If coverage is not generally available, the extent to which the lack of coverage results in persons being unable to obtain necessary health care treatment;**
 - (d) If the coverage is not generally available, the extent to which the lack of coverage results in unreasonable financial hardship on those persons needing treatment;**
 - (e) The level of public demand for the treatment or service;**
 - (f) The level of public demand for individual or group insurance coverage of the treatment or service;**
 - (g) The level of interest of collective bargaining organizations in negotiating privately for inclusion of**

this coverage in group contracts; and

(h) The impact of indirect costs which are costs other than premiums and administrative costs, on the question of the costs and benefits of coverage.

(2) The financial impact, including:

(a) The extent to which insurance coverage of the kind proposed would increase or decrease the cost of the treatment or service;

(b) The extent to which the proposed coverage might increase the use of the treatment or service;

(c) The extent to which the mandated treatment or service might serve as an alternative for more expensive treatment or service;

(d) The extent to which insurance coverage of the health care service or provider can be reasonably expected to increase or decrease the insurance premium and administrative expenses of policyholders; and

(e) The impact of this coverage on the total cost of health care."; and

Further amend said bill's title and enacting clause accordingly.

On motion of Representative Shields, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Levin offered **House Amendment No. 4**.

Representative Monaco raised a point of order that **House Amendment No. 4** is not germane to the bill and is dilatory.

The Chair ruled the point of order well taken.

Representative Shields offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1362, Page 100, Section 379.952, Line 18, by adding the following:

1. As used in this section, the following terms mean:

(1) "Eligible employee", an employee who works on a full-time basis and has a normal work week of thirty or more hours. The term includes a sole proprietor, a partner of a partnership, and an independent contractor is included as an employee under a health benefit plan of a small employer, but does not include an employee who works on a part-time, temporary or substitute basis. For purposes of this section, a person, such person's spouse and such person's minor children shall constitute only one eligible employee when they are employed by the same small employer; except that, in the case of a person who is a farmer, such person may constitute an eligible employee and such person's spouse, if hired by such person, may constitute a second eligible employee;

(2) "Eligible small employer", any person, firm, corporation, partnership or association that is actively engaged in business that, on at least fifty percent of its working days during the preceding calendar quarter, employed not less than two nor more than twenty-five eligible employees, the majority of whom were employed within this state. In determining the number of eligible employees, companies that are affiliated companies, or that are eligible to file a combined tax return for purposes of state taxation, shall be considered one employer;

(3) "Farmer", any person who derives at least two-thirds of such person's income from using or cultivating land for the production of agricultural crops, livestock or livestock products, poultry or poultry products, milk or dairy products, or fruit or other horticulture products; provided that, the term shall not include a person who

processes farm products or distributes farming supplies by contracting to provide spraying, harvesting or other farming services; and

(4) “Qualified health insurance program” includes accident and sickness insurance on an indemnity basis and health maintenance organization plans;

2. There is hereby established the “Small Business Health Insurance Assistance Program” for the purpose of encouraging qualifying small businesses to establish or maintain a qualified health insurance program available to eligible employees. The director of the department of insurance shall administer a grant program within this state pursuant to the provisions of this act. Such grants shall be paid for the purpose of assisting small employers to pay health insurance premiums on behalf of such employer’s eligible employees, up to an aggregate of ten million dollars.

3. The grant moneys allowed by this act are subject to appropriations from general revenue. In the absence of appropriated general revenue moneys, the General Assembly may authorize funding necessary for the operation of this program be disbursed from moneys received by the state pursuant to the master settlement agreement entered into on November 23, 1998, by the state and leading United States tobacco product manufacturers, and deposited by the state treasurer to the credit of the tobacco settlement trust fund. Subject to appropriation, ten million dollars annually shall be used to facilitate provision of health care insurance of persons employed by qualified small employers pursuant to the provisions of this section.

4. For calendar years beginning on or after January 1, 2001, an eligible small employer which does not, as of January 1, 2001, pay its employees health insurance premiums, and has not paid such premiums for the previous 24 months, and which begins to pay health insurance premiums on behalf of such employer’s eligible employees during such calendar year or thereafter shall be allowed to apply for a grant, as follows:

(1) For the first two years the eligible small employer pays health insurance premiums on behalf of such employer’s eligible employees the grantee shall be granted fifty dollars per month per employee;

(2) For the third and fourth years the eligible small employer pays health insurance premiums on behalf of such employer’s eligible employees, the grantee shall be granted thirty-five dollars per month per employee; and

(3) For each year subsequent to the fourth year the eligible small employer pays health insurance premiums on behalf of such employer’s eligible employees, the grantee shall be granted twenty-five dollars per month per employee.

(4) The grants shall be paid to grantees on a quarterly basis upon a showing by the grantee that a qualified health insurance program was available to eligible employees and grantee paid all premiums for eligible employees associated with the qualified health insurance program for the preceding three months.

5. For calendar years beginning on or after January 1, 2001, an eligible small employer, with fifteen or fewer eligible employees, which does not qualify for a grant pursuant to subsection 4 of this section because such employer, as of January 1, 2001, was already paying its employees’ health insurance premiums, shall be allowed to apply for a grant in an amount equal to twenty-five dollars per month per eligible employee for whom such small employer pays health insurance premiums, if such employer can document a minimum of a twenty percent increase in premium costs per eligible employee for comparable health care benefits.

6. The department of insurance is authorized to promulgate any rules necessary to administer provisions 1 through 7 of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it is promulgated pursuant to the provisions of chapter 536, RSMo.

7. The provisions of this section shall expire on December 31, 2005, unless extended by an action of the General Assembly.

Representative Monaco raised a point of order that **House Amendment No. 4** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

Representative Monaco raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is not a true substitute.

The Chair ruled the point of order not well taken.

Representative Dougherty raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is not germane to the bill.

The Chair ruled the point of order well taken.

HCS HB 1362, with House Amendment No. 4, and HS, as amended, pending, was laid over.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 44 - Criminal Law

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1485 - Insurance

HB 1659 - Local Government and Related Matters

HB 1660 - Education - Higher

COMMITTEE REPORTS

Committee on Public Health, Chairman Ladd Stokan reporting:

Mr. Speaker: Your Committee on Public Health, to which was referred **HB 1085**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Public Health, to which was referred **HB 1197**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 1102, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 2000 and ending June 30, 2001.

HB 1103, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

HB 1104, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

HB 1105, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

HB 1106, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distribution, and capital improvements projects involving the repair, replacement and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2000 and ending June 30, 2001.

HB 1107, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

HB 1108, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

HB 1109, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

HB 1110, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health, and the several divisions and programs thereof and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

HB 1111, introduced by Representative Franklin, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

HB 1112, introduced by Representative Franklin, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, the Committee on Public Employee Retirement, the Committee on Administrative Rules, the Joint Committee on Capital Improvements Oversight and the Joint Committee on Economic Development; for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

HB 1120, introduced by Representative Franklin, to appropriate money for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1939, introduced by Representatives Graham (24) and Dolan, relating to the regulation of stretcher vans.

HB 1940, introduced by Representatives Clayton and Leake, relating to health insurance.

HB 1941, introduced by Representative Schwab, relating to the Missouri commission of Indian affairs.

HB 1942, introduced by Representative Liese, relating to financial institutions.

HB 1943, introduced by Representative Schilling, relating to reports of abuse, neglect and death of persons less than eighteen years of age.

HB 1944, introduced by Representatives Relford and Seigfreid, relating to a MO-AG Businesses license plate.

HB 1945, introduced by Representatives Kennedy, Gambaro and Hilgemann, relating to remediation of environmentally contaminated real property by political subdivisions.

HB 1946, introduced by Representative Dougherty, relating to adoption.

HB 1947, introduced by Representatives Holand and Reynolds, relating to dental services.

HB 1948, introduced by Representatives Gratz, Scott, Gaw, Patek, Koller, Bennett, Hollingsworth and Boykins, et al, relating to traffic regulations.

HB 1949, introduced by Representatives Hilgemann, Auer, Ford, Gambaro, Shelton, Kennedy, Carter and Boykins, et al, relating to firearms regulation.

HB 1950, introduced by Representative Boucher, relating to the tax credit for building universal design homes.

HB 1951, introduced by Representatives Crawford, Scott, Bartelsmeyer, Klindt, Gaskill, Berkstresser and Summers, et al, relating to traffic regulations.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Foley is no longer a member of the Commerce Committee.

Representative Boykins has been appointed a member of the Commerce Committee.

Representative Lograsso has been appointed a member of the Local Government and Related Matters Committee.

Representative Champion has been appointed a member of the Public Health Committee.

Representative Gaskill has been appointed a member of the Appropriations - Education and Public Safety Committee.

Representative Miller has been appointed a member of the Consumer Protection and Housing Committee.

ADJOURNMENT

On motion of Representative Monaco, the House adjourned until 10:00 a.m., Tuesday, February 8, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Eighteenth Day, Thursday, February 3, 2000, pages 202 and 203, roll call, by showing Representative Ladd Stokan voting "no" rather than "absent with leave".

Page 205, roll call, by showing Representatives Williams (121) and Surface voting "aye" rather than "absent with leave".

Page 205, roll call, by showing Representative Pouche voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY
Tuesday, February 8, 2000. Hearing Room 1 upon adjournment.
Mark-up House Bill 1102.

APPROPRIATIONS - GENERAL ADMINISTRATION
Tuesday, February 8, 2000. Hearing Room 7 upon morning adjournment.
Mark-up continues.

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 9, 2000. Hearing Room 7 upon morning adjournment.
Mark-up continues. CANCELLED.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH
Tuesday, February 8, 2000. Hearing Room 6 upon adjournment.
SAM II presentation. Mark-up Depts. of Health and Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH
Wednesday, February 9, 2000. Hearing Room 6 upon adjournment.
Mark-up Depts. of Health and Mental Health.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 8, 2000, 1:00 pm. Hearing Room 5. Mark-up.
Dept. of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 9, 2000. Hearing Room 5 upon adjournment.
Mark-up Dept. of Natural Resources.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 8, 2000, 8:00 am. Hearing Room 3.
Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 8, 2000. Hearing Room 3 upon adjournment.
Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 9, 2000. Hearing Room 3 upon adjournment.
Dept. of Corrections public testimony.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 3.
Presentation on the Federal Financial Modernization Act of 1999.

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 9, 2000, 7:30 pm. Hearing Room 6.
Possible Executive Session.
To be considered - HB 1312, HB 1334, HB 1417, HB 1648, HB 1675, HB 1676,
HB 1677

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 1.
To be considered - HB 1421

COMMERCE

Wednesday, February 9, 2000, 5:00 pm. Hearing Room 3.
Executive Session may follow.
To be considered - HB 1344, HB 1416, HB 1483, HB 1706

CONSUMER PROTECTION

Tuesday, February 8, 2000, 8:00 pm. Hearing Room 1. Executive Session.
To be considered - HB 1227, HB 1237, HB 1464, HB 1512, HB 1519

CRIMINAL LAW

Wednesday, February 9, 2000, 8:00 pm. Hearing Room 7.

Executive Session to follow.

To be considered - HB 1232, HB 1234, HB 1670, HB 1725

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 3. AMENDED NOTICE.

To be considered - HB 1261, HB 1267, HB 1474, HB 1599

EDUCATION - HIGHER

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1365, HB 1475, HB 1578, Executive Session - HB 1486

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 9, 2000, 8:30 am. Hearing Room 5.

Possible Executive Session.

To be considered - HB 1554, HB 1590, HJR 57

INSURANCE

Tuesday, February 8, 2000, 8:00 am. Hearing Room 5.

To be considered - HB 1555, HB 1597, HB 1642, HB 1681, HB 1737

INTERIM JOINT COMMITTEE ON IMMIGRATION

Wednesday, February 9, 2000, 2:00 pm. Hearing Room 4.

JUDICIARY

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 5. AMENDED NOTICE.

Executive Session may follow.

To be considered - HB 1384, HB 1388, HB 1494

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 7.

Executive Session to follow.

To be considered - HB 1328, HB 1391, HB 1487, HB 1499, HB 1541, HB 1579, HB 1631, HB 1647, HB 1656, HB 1663, HB 1760

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 1.

Executive Session to follow.

To be considered - HB 1603

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 2A and 2B.

AMENDED NOTICE.

To be considered - HB 1253, HB 1283, HB 1591, HB 1685, HB 1723, HB 1743

PUBLIC HEALTH

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 4.

CORRECTED AND AMENDED NOTICE. Possible Executive Session.

To be considered - HB 1488, HB 1489, HB 1650, HCR 4

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, February 8, 2000, 8:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1353, HB 1511, HB 1585

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 8, 2000, 7:30 pm. Hearing Room 6. **AMENDED NOTICE.**

To be considered - HB 1400, HB 1450, HB 1673

SUBCOMMITTEE ON TELEMARKETING - CONSUMER PROTECTION AND HOUSING

Tuesday, February 8, 2000, 7:30 pm. Hearing Room 1.

WAYS AND MEANS

Tuesday, February 8, 2000, 3:00 pm. Hearing Room 6.

Executive Session possible.

To be considered - HB 1244, HB 1296, HB 1302, HB 1343, HB 1419, HB 1456,
HB 1516, HB 1566, HB 1567, HB 1583

HOUSE CALENDAR

TWENTIETH DAY, TUESDAY, FEBRUARY 8, 2000

HOUSE BILLS FOR SECOND READING

HB 1939 through HB 1951

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 1102 through HB 1112

HB 1120

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61 - Van Zandt

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1114 - Franklin

HOUSE BILLS FOR PERFECTION

HCS HB 1362, HA 4 and HS, as amended, pending - Harlan

HCS HB 1074 - Relford

HB 1363 - Bray

HCS HB 1215 & 1240 - Smith

HCS HB 1144 - Scheve

HB 1321 - Relford

HCS HB 1142 - Ransdall

HB 1186, HCA 1 - Gratz

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TWENTIETH DAY, TUESDAY, FEBRUARY 8, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, teach us to number our days that we may apply our hearts to doing good. These men and women of the House, and the staff that supports them, want to do good.

Help them put personal gain aside and work so that their best sense of what is decent and fitting for Missouri will dominate in the business of this session.

Keep them also, lighthearted enough to laugh at all we place before them. To You be glory and grace, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the nineteenth day was approved as printed by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Clayton	Crawford	Curls	Davis 122	Davis 63
Days	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner

Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 002

Hanaway	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 008

Blunt	Cierpiot	Crump	Dolan	Hartzler 124
Holand	Kasten	Robirds		

VACANCIES: 001

RESOLUTION

HR 2731 was taken up by Representative Boatright and read.

House Resolution No. 2731

WHEREAS, the members of the Missouri House of Representatives proudly pause to recognize a college athletic team which consistently sought to fulfill its potential throughout the 1999 season; and

WHEREAS, on November 21, 1999, the State Fair Community College Roadrunner soccer team concluded the season in sensational fashion by defeating Pima from Tucson, Arizona, during the 1999 NJCAA (National Junior College Athletic Association) Soccer Tournament held in Trenton, New Jersey, with a score of 3-2; and

WHEREAS, the talented Roadrunners performed remarkably well to compile an impressive record of 23-3-2 with the excellent guidance they received from Coach Rick Carpenter, who was named NJCAA Coach of the Year, and his assistants, Steve Triplett, Sean Seacress, and Dick Bremer; and

WHEREAS, the Roadrunners enjoyed such an incredible degree of success through the special efforts of team trainer Tina Carpenter, athletic director Ron Gerstbauer, team member Oscar Sims who was recognized as Most Valuable Player, and Roadrunners Shawn Cairer, Ben Baumgart, and Ryan Letulle, who were named to the All-Tournament Team; and

WHEREAS, the First Place victory in the Garden State could not have been realized without the strength, determination, and skill of the other team members, who include Edson Buddle, David Buchmueller, Trey Sebus, Charlie McDaniel, Jeremy Bruno, Andy Mullan, Tom Zeller, Ron Zavlodaver, Kenny Zepeda, Ryan Pyle, Tony Gigous, Carlos Morales, Nathan Mason, Dustin Handwerker, Danny Cricchio, Josh Bennett, Matt Parker, and Mitch Smith; and

WHEREAS, the community of Sedalia and the entire Show-Me State take tremendous pride in State Fair Community College's recent rise to national prominence:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, unanimously join with State Fair Community College and the citizens of Sedalia in commending and applauding the coaches and players of the State Fair Community College Roadrunner soccer team for their admirable efforts in achieving recognition as the National Champions at the 1999 NJCAA Soccer Tournament; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the State Fair Community College Roadrunner Soccer Team, as a measure of our esteem for them.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 218 - Representative Vogel
House Resolution No. 219 and House Resolution No. 220 - Representative Campbell
House Resolution No. 221 - Representative Ostmann
House Resolution No. 222 - Representative Williams (159)
House Resolution No. 223 - Representative Sallee
House Resolution No. 224 - Representative Clayton
House Resolution No. 225 - Representatives Vogel and Gratz
House Resolution No. 226 and House Resolution No. 227 - Representative Gross
House Resolution No. 228 - Representative Kelley (47)

SECOND READING OF HOUSE BILLS

HB 1939 through **HB 1951** were read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1102 through **HB 1112** and **HB 1120** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1362, with House Amendment No. 4 and HS, as amended, pending, relating to health insurance, was taken up by Representative Harlan.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

Speaker Gaw assumed the Chair.

Representative Monaco raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is not a proper substitute amendment and goes beyond the scope of the base amendment.

The Chair ruled the point of order well taken.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

House Substitute Amendment No. 1 for House Amendment No. 4 was withdrawn.

On motion of Representative Shields, **House Amendment No. 4** was adopted by the following vote:

AYES: 152

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Cierpiot	Clayton	Crawford	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Stokan	Summers	Surface	Thompson	Townley
Treadway	Tudor	Van Zandt	Vogel	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Auer	Elliott	Green
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PRESENT: 000

ABSENT WITH LEAVE: 007

Crump	Kasten	Kelley 47	Lakin	Robirds
Troupe	Wiggins			

VACANCIES: 001

Representative Patek offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1362, Page 20, Section 376.771, Line 9, by deleting all of said section and inserting in lieu thereof the following:

“Section 376.771

1. (1) For any block individual health benefit plan business, after making an actuarial adjustment based on benefit design and rating characteristics, the filed rate for any block of business shall not exceed the filed rate of any other block of business by more than:

- (a) One hundred fifty percent by July 1, 2001;**
- (b) One hundred twenty-five percent by July 1, 2002; and**
- (c) One hundred percent by July 1, 2003.**

(2) Any adjustment applied to a single block of business shall not exceed the adjustment applied to all blocks of business by more than fifteen percent due to claims experience or health status of such block of

business.

(3) The provisions of this subsection shall not apply to any supplemental insurance policy, including a life contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit, Medicare supplement policy, long-term care policy, coverage issued as a supplement to liability insurance, short-term major medical policies of six months or less duration and any other policy as determined by the department of insurance.

2. (1) Except as otherwise provided in this subsection, a health insurer that provides individual health insurance coverage to an individual shall renew or continue in force such coverage at the option of the individual.

(2) A health insurer may nonrenew or discontinue health insurance coverage of an individual in the individual market based only on one or more of the following:

(a) The individual has failed to pay premiums or contributions in accordance with the terms of the health insurance coverage or the insurer has not received timely premium payments;

(b) The individual has performed an act or practice that constitutes fraud or made an intentional misrepresentation of material fact under the terms of the coverage;

(c) The insurer is ceasing to offer coverage in the individual market in accordance with subdivision (3) of this subsection or any other applicable state law;

(d) In the case of a health insurer that offers health insurance coverage in the market through a network plan, the individual no longer resides, lives or works in the service area, or in an area for which the insurer is authorized to do business, but only if such coverage is terminated pursuant to this paragraph uniformly without regard to any health status-related factor of covered individuals;

(e) In the case of health insurance coverage that is made available in the individual market only through one or more bona fide associations, the membership of the individual in the association, on the basis of which the coverage is provided, ceases but only if such coverage is terminated pursuant to this paragraph uniformly without regard to any health status-related factor of covered individuals.

(3) (a) In any case in which an insurer decides to discontinue offering a particular type of health insurance coverage offered in the individual market, coverage of such type may be discontinued by the insurer only if:

a. The insurer provides notice to each covered individual provided coverage of this type in such market of such discontinuation at least ninety days prior to the date of the discontinuation of such coverage;

b. The insurer offers to each individual in the individual market provided coverage of this type the option to purchase any other individual health insurance coverage currently being offered by the insurer for individuals in such market; and

c. In exercising the option to discontinue coverage of this type and in offering the option of coverage pursuant to subparagraph b. of this paragraph, the insurer acts uniformly without regard to any health status-related factor of enrolled individuals or individuals who may become eligible for such coverage.

(b) a. Subject to subparagraph c. of paragraph (a) of this subdivision, in any case in which a health insurer elects to discontinue offering all health insurance coverage in the individual market in this state, health insurance coverage may be discontinued by the insurer only if:

(i) The insurer provides notice to the director of the department of insurance and to each individual of such discontinuation at least one hundred eighty days prior to the date of the expiration of such coverage; and

(ii) All health insurance issued or delivered for issuance in this state in such market is discontinued and coverage under such health insurance coverage in such market is not renewed.

b. In the case of a discontinuation pursuant to subparagraph a. of this paragraph in the individual market, the insurer may not provide for the issuance of any health insurance coverage in the market and this state during the five-year period beginning on the date of discontinuation of the last health insurance coverage not so renewed.

(4) At the time of coverage renewal, a health insurance insurer may modify the health insurance coverage for a policy form offered to individuals in the individual market so long as such modification is consistent with state law and effective on a uniform basis among all individuals with that policy form.

(5) In applying this subsection in the case of health insurance coverage that is made available by a health insurer in the individual market to individuals only through one or more associations, a reference to an individual is deemed to include a reference to such an association of which the individual is a member."; and

Further amend said bill, Page 47, Section 376.960, Line 12 of said page, by inserting after all of said line the following:

"(7) "Federally defined eligible individual", an individual:

(a) For whom, as of the date on which the individual seeks coverage through the pool, the aggregate of the periods of creditable coverage, as defined in section 376.450, is eighteen or more months and whose most recent prior creditable coverage was under a group health plan, as defined in section 376.450; governmental plan, as defined in Section 3 of the Employee Retirement Income Security Act of 1974; or church plan, as defined in section 376.450; or health insurance coverage offered in connection with any such plan;

(b) Who is not eligible for coverage under a group health plan, Part A or Part B of Title XVIII of the Social Security Act, or a state plan under Title XIX of such act, or any successor program;

(c) Who does not have other health insurance coverage;

(d) For whom the most recent coverage within the coverage period described in paragraph (a) of this subdivision was not terminated because of nonpayment of premiums or fraud;

(e) Who, if offered the option of continuation coverage under a COBRA continuation provision, as defined in section 376.450, or under a similar state program, both elected and exhausted the continuation coverage;

(f) Who has coverage but whose premiums have increased to more than one hundred thirty-five percent of rates applicable to individual standard risks;"; and

Further amend said bill, Page 53, Section 376.966, Line 17 of said page, by deleting the words "three hundred" and inserting in lieu thereof the following: "[three hundred] **one hundred fifty**"; and renumber all subsequent subdivisions in such section; and

Further amend said bill, Page 54, Section 376.966, Lines 21 and 22 of said page, by deleting the words "three hundred" and inserting in lieu thereof the following: "[three hundred] **one hundred fifty**"; and

Further amend said bill, Page 57, Section 376.986, Lines 1 to 16 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"(1) For federally defined individuals, one hundred thirty-five percent of rates applicable to individual standard risks;

(2) For all other individuals covered under the pool, one hundred fifty percent of rates applicable to individual standard risks."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Luetkemeyer offered **House Substitute Amendment No. 1 for House Amendment No. 5.**

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for House Bill No. 1362, Page 20, Section 376.771, Line 9 of said page, by deleting all of said section and inserting in lieu thereof the following:

"376.771. 1. (1) For any block individual health benefit plan business, after making an actuarial adjustment based on benefit design and rating characteristics, the filed rate for any block of business shall not exceed the filed rate of any other block of business by more than:

(a) One hundred fifty percent by July 1, 2001;

(b) One hundred twenty-five percent by July 1, 2002; and

(c) One hundred percent by July 1, 2003.

(2) Any adjustment applied to a single block of business shall not exceed the adjustment applied to all blocks of business by more than fifteen percent due to claims experience or health status of such block of business.

(3) The provisions of this subsection shall not apply to any supplemental insurance policy, including a life contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit, Medicare supplement policy, long-term care policy, coverage issued as a supplement to liability insurance, short-term major medical policies of six months or less duration and any other policy as determined by the department of insurance.

2. (1) Except as otherwise provided in this subsection, a health insurer that provides individual health insurance coverage to an individual shall renew or continue in force such coverage at the option of the individual.

(2) A health insurer may nonrenew or discontinue health insurance coverage of an individual in the individual market based only on one or more of the following:

(a) The individual has failed to pay premiums or contributions in accordance with the terms of the health insurance coverage or the insurer has not received timely premium payments;

(b) The individual has performed an act or practice that constitutes fraud or made an intentional misrepresentation of material fact under the terms of the coverage;

(c) The insurer is ceasing to offer coverage in the individual market in accordance with subdivision (3) of this subsection or any other applicable state law;

(d) In the case of a health insurer that offers health insurance coverage in the market through a network plan, the individual no longer resides, lives or works in the service area, or in an area for which the insurer is authorized to do business, but only if such coverage is terminated pursuant to this paragraph uniformly without regard to any health status-related factor of covered individuals;

(e) In the case of health insurance coverage that is made available in the individual market only through one or more bona fide associations, the membership of the individual in the association, on the basis of which the coverage is provided, ceases but only if such coverage is terminated pursuant to this paragraph uniformly without regard to any health status-related factor of covered individuals.

(3) (a) In any case in which an insurer decides to discontinue offering a particular type of health insurance coverage offered in the individual market, coverage of such type may be discontinued by the insurer only if:

a. The insurer provides notice to each covered individual provided coverage of this type in such market of such discontinuation at least ninety days prior to the date of the discontinuation of such coverage;

b. The insurer offers to each individual in the individual market provided coverage of this type the option to purchase any other individual health insurance coverage currently being offered by the insurer for individuals in such market; and

c. In exercising the option to discontinue coverage of this type and in offering the option of coverage pursuant to subparagraph b. of this paragraph, the insurer acts uniformly without regard to any health status-related factor of enrolled individuals or individuals who may become eligible for such coverage.

(b) a. Subject to subparagraph c. of paragraph (a) of this subdivision, in any case in which a health insurer elects to discontinue offering all health insurance coverage in the individual market in this state, health insurance coverage may be discontinued by the insurer only if:

(i) The insurer provides notice to the director of the department of insurance and to each individual of such discontinuation at least one hundred eighty days prior to the date of the expiration of such coverage; and

(ii) All health insurance issued or delivered for issuance in this state in such market is discontinued and coverage under such health insurance coverage in such market is not renewed.

b. In the case of a discontinuation pursuant to subparagraph a. of this paragraph in the individual market, the insurer may not provide for the issuance of any health insurance coverage in the market and this state during the five-year period beginning on the date of discontinuation of the last health insurance coverage not so renewed.

(4) At the time of coverage renewal, a health insurance insurer may modify the health insurance coverage for a policy form offered to individuals in the individual market so long as such modification is consistent with state law and effective on a uniform basis among all individuals with that policy form.

(5) In applying this subsection in the case of health insurance coverage that is made available by a health insurer in the individual market to individuals only through one or more associations, a reference to an individual is deemed to include a reference to such an association of which the individual is a member."; and

Further amend said bill, Page 47, Section 376.960, Line 12 of said page, by inserting after all of said line the following:

"(6) "Federally defined eligible individual", an individual:

(a) For whom, as of the date on which the individual seeks coverage through the pool, the aggregate of the periods of creditable coverage, as defined in section 376.450, is eighteen or more months and whose most recent prior creditable coverage was under a group health plan, as defined in section 376.450; governmental plan, as defined in Section 3 of the Employee Retirement Income Security Act of 1974; or church plan, as defined in section 376.450; or health insurance coverage offered in connection with any such plan;

(b) Who is not eligible for coverage under a group health plan, Part A or Part B of Title XVIII of the Social Security Act, or a state plan under Title XIX of such act, or any successor program;

(c) Who does not have other health insurance coverage;

(d) For whom the most recent coverage within the coverage period described in paragraph (a) of this subdivision was not terminated because of nonpayment of premiums or fraud;

(e) Who, if offered the option of continuation coverage under a COBRA continuation provision, as defined in section 376.450, or under a similar state program, both elected and exhausted the continuation coverage;

(f) Who has coverage but whose premiums have increased to more than one hundred thirty-five percent of rates applicable to individual standard risks;"; and

Further amend said bill, Page 53, Section 376.966, Line 17 of said page, by deleting the words "three hundred" and inserting in lieu thereof the following: "[three hundred] **one hundred thirty-five**"; and

Further amend said bill, Page 54, Section 376.966, Lines 21 and 22 of said page, by deleting the words "three hundred" and inserting in lieu thereof the following: "[three hundred] **one hundred thirty-five**"; and

Further amend said bill, Page 57, Section 376.986, Lines 1 to 16 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"(1) For federally defined individuals, one hundred twenty-five percent of rates applicable to individual standard risks;

(2) For all other individuals covered under the pool, one hundred thirty-five percent of rates applicable to individual standard risks."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Luetkemeyer, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted by the following vote:

AYES: 084

Abel	Akin	Alter	Auer	Ballard
Barnett	Bartelsmeyer	Bartle	Bennett	Berkstresser
Black	Blunt	Boatright	Bonner	Burton
Champion	Chrismer	Cierpiot	Crawford	Elliott
Enz	Evans	Foster	Gambaro	Gaskill
Gibbons	Graham 106	Gratz	Gross	Gunn
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kelley 47
King	Kissell	Klindt	Koller	Kreider
Lawson	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble

McClelland	McKenna	Miller	Myers	Nordwald
Ostmann	Patek	Phillips	Pouche	Pryor
Purgason	Ransdall	Reinhart	Richardson	Ridgeway
Ross	Sallee	Schwab	Scott	Secrest
Seigfreid	Summers	Surface	Townley	Tudor
Vogel	Wagner	Ward	Wright	

NOES: 074

Backer	Barry 100	Berkowitz	Boucher	Boykins
Bray 84	Britt	Campbell	Carter	Clayton
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	Froelker	George	Graham 24
Green	Griesheimer	Hagan-Harrell	Harlan	Hickey
Hilgemann	Hollingsworth	Hosmer	Kelly 27	Kennedy
Lakin	Leake	Liese	May 108	Mays 50
McBride	McLuckie	Merideth	Monaco	Murphy
Murray	Naeger	O'Connor	O'Toole	Overschmidt
Parker	Reid	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Selby	Shelton
Shields	Skaggs	Smith	Stokan	Thompson
Treadway	Troupe	Van Zandt	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 004

Crump	Hoppe	Kasten	Robirds
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VACANCIES: 001

HCS HB 1362, with HS, as amended, pending, was placed on the Informal Calendar.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1102 - Budget
HB 1103 - Budget
HB 1104 - Budget
HB 1105 - Budget
HB 1106 - Budget
HB 1107 - Budget
HB 1108 - Budget
HB 1109 - Budget
HB 1110 - Budget
HB 1111 - Budget
HB 1112 - Budget
HB 1120 - Budget

COMMITTEE REPORT

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HB 1452**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 16, introduced by Representative Gross, urging Congress to enact legislation declaring the Flag of the United States to be federal property.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1952, introduced by Representatives Foster, Pouche and Schwab, et al, relating to enforcement powers of the state auditor upon local governments.

HB 1953, introduced by Representative O'Connor, relating to an animal friendly license plate.

HB 1954, introduced by Representatives Riback Wilson (25), Campbell, Shields, Kelley (47), Troupe, Hollingsworth, Berkowitz, Gaw and Merideth, et al, relating to the family and community investment trust.

HB 1955, introduced by Representative O'Toole, relating to certain police retirement systems.

HB 1956, introduced by Representative Gibbons, relating to income tax and sales tax credits and refunds.

HB 1957, introduced by Representatives Fraser, Fitzwater, Hagan-Harrell, Tudor, Black, Gaw, Skaggs and Merideth, et al, relating to tax relief for employers who encourage employees to volunteer at public schools.

HB 1958, introduced by Representatives Hampton, Williams (159), Franklin, Gaw, Backer, Selby, Patek, Kreider, Ward, Berkowitz and Merideth, et al, relating to minimum teacher's salary supplements.

HB 1959, introduced by Representative Lakin, relating to the statute of limitations on criminal civil prosecution of sexual offenses.

HB 1960, introduced by Representative Lakin, relating to sales and use tax exemptions for services, materials and supplies used in the production of printed materials.

HB 1961, introduced by Representatives Fraser, Gaw, Scott, Boucher, Relford, Selby, Myers, Ransdall and Loudon, et al, relating to the stealing of pets for research purposes and the missing and stolen pet registry.

HB 1962, introduced by Representatives Dougherty, Troupe, Berkowitz, Holand, Reinhart, Kelley (47) and Murray, et al, relating to foster care reimbursement.

HB 1963, introduced by Representative Fitzwater, relating to sales tax exemptions for diabetic medical supplies and equipment.

HB 1964, introduced by Representative Bray, relating to public employee due process.

HB 1965, introduced by Representatives Berkstresser and Robirds, relating to the Branson tourism tax.

HB 1966, introduced by Representatives Hosmer, Skaggs, Gaskill, Schilling, Williams (121), Sallee, Barnett, Kelley (47) and Relford, et al, relating to driving with excessive blood alcohol content.

HB 1967, introduced by Representatives Hoppe, Foley, Green, Treadway, Scheve, Days, George and Murray, relating to boundary commissions in certain counties.

HB 1968, introduced by Representative Hendrickson, relating to privileged communications.

HB 1969, introduced by Representatives Kissell and Cierpiot, relating to revocation for fleeing an officer.

WITHDRAWAL OF HOUSE BILL

February 8, 2000

The Honorable Steve Gaw, Speaker
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1628** be withdrawn.

Thank you for your attention in this request.

Sincerely,

/s/ Paula J. Carter
State Representative, 61st District

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Wednesday, February 9, 2000.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1701

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 9, 2000. Hearing Room 1 upon adjournment.

Continue mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 9, 2000. Hearing Room 7 upon morning adjournment.

Mark-up continues. CANCELLED.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 9, 2000. Hearing Room 6 upon adjournment.

Mark-up Depts. of Health and Mental Health.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 9, 2000. Hearing Room 5 upon adjournment.

Mark-up Dept. of Natural Resources.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 9, 2000. Hearing Room 3 upon adjournment.

Dept. of Corrections public testimony.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 9, 2000, 8:30 am. Hearing Room 3.

Dept. of Social Services.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 3. AMENDED NOTICE.

Executive Session may follow.

To be considered - HB 1451, HB 1617, HB 1780

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 3.

Presentation of the Federal Financial Modernization Act of 1999.

Rescheduled from 2-9-2000.

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 9, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session.

To be considered - HB 1312, HB 1334, HB 1417, HB 1648, HB 1675, HB 1676, HB 1677

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1421

COMMERCE

Wednesday, February 9, 2000, 5:00 pm. Hearing Room 3.

Executive Session may follow.

To be considered - HB 1344, HB 1416, HB 1483, HB 1706

CRIMINAL LAW

Wednesday, February 9, 2000, 8:00 pm. Hearing Room 7.

Executive Session to follow. AMENDED NOTICE.

To be considered - HB 1232, HB 1234, HB 1608, HB 1670, HB 1725, HB 1734, HJR 44

EDUCATION - HIGHER

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1365, HB 1475, HB 1578, Executive Session - HB 1486

ENVIRONMENT AND ENERGY

Thursday, February 10, 2000, 8:00 am. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1439, HB 1601, HB 1655, HCR 12

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 9, 2000, 8:30 am. Hearing Room 5.

Possible Executive Session.

To be considered - HB 1554, HB 1590, HJR 57

INSURANCE

Thursday, February 10, 2000, 9:30 am. Side gallery.

Executive Session.

INTERIM JOINT COMMITTEE ON IMMIGRATION

Wednesday, February 9, 2000, 2:00 pm. Hearing Room 4.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 9, 2000, 9:00 am. Hearing Room 6.

To be considered - HB 1454

MUNICIPAL CORPORATIONS

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 4.

To be considered - HB 1661, HB 1698, HB 1705, Executive Session - HB 1290,
Executive Session - HB 1338

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 2A and 2B.

AMENDED NOTICE.

To be considered - HB 1253, HB 1283, HB 1591, HB 1685, HB 1723, HB 1743

PUBLIC SAFETY AND LAW ENFORCEMENT

Wednesday, February 9, 2000. Side gallery upon adjournment.

Executive Session.

RETIREMENT

Wednesday, February 9, 2000, 8:00 pm. Hearing Room 1.

Executive Session to follow.

To be considered - HB 1463, HB 1613, HB 1644, HB 1695, HB 1740, HB 1777,
HB 1790

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 15, 2000, 7:30 pm. Hearing Room 6.

To be considered - HB 1260, HB 1719

SUBCOMMITTEE ON ETHICS - APPROPRIATIONS GENERAL ADMINISTRATION

Wednesday, February 9, 2000, 8:30 am. Hearing Room 7.

TRANSPORTATION

Wednesday, February 9, 2000, 3:00 pm. Hearing Room 6.

Executive Session to follow.

To be considered - HB 1442, HB 1623, HB 1744, HB 1748

UTILITIES REGULATION

Thursday, February 10, 2000, 8:15 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1415, HJR 53

HOUSE CALENDAR

TWENTY-FIRST DAY, WEDNESDAY, FEBRUARY 9, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 16

HOUSE BILLS FOR SECOND READING

HB 1952 through HB 1969

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61 - Van Zandt

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1114 - Franklin

HOUSE BILLS FOR PERFECTION

HCS HB 1074 - Relford

HB 1363 - Bray

HCS HB 1215 & 1240 - Smith

HCS HB 1144 - Scheve

HB 1321 - Relford

HCS HB 1142 - Ransdall

HB 1186, HCA 1 - Gratz

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 1362, HS, as amended, pending - Harlan

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TWENTY-FIRST DAY, WEDNESDAY, FEBRUARY 9, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Lord God Almighty, You have blessed this state, You have blessed each of us and our families with countless gifts and the gift of peace. Keep us aware of the blessings which surround us. May our awareness of Your goodness keep us humble, and keep the deeper meaning of life clear to us.

Forgive our boasting and protect us from being too impressed with ourselves or the power of our society.

Keep us on the sunny side of the street, the side of joy and abounding in mercy and faith. Keep the House this day in Your grace.

To You be glory and power now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Julie Hillis, Ashley Hughes and Courtney Newman.

The Journal of the twentieth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 229 - Representative Hilgemann
House Resolution No. 230 - Representative Richardson
House Resolution No. 231 - Representatives Elliott and Burton
House Resolution No. 232 - Representative Levin
House Resolution No. 233 and House Resolution No. 234 - Representative O'Toole, joined by the entire House membership
House Resolution No. 235 - Representative Riley
House Resolution No. 236 - Representatives Kennedy and O'Toole

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 16 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1952 through **HB 1969** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1074, relating to water pollution control bonds, was taken up by Representative Relford.

Representative Kissell offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1074, Page 1, Section A, Line 2, by inserting after all of said line the following:

"249.422. 1. If approved by a majority of the voters voting on the proposal, any city, town, village or county on behalf of the unincorporated area, located **either** within the boundaries of a sewer district established pursuant to article VI, section 30(a) of the Missouri Constitution **or within any county of the first classification having a charter form of government with a population of more than two hundred ten thousand inhabitants but less than three hundred thousand inhabitants**, may by city, town, village or county ordinance levy and impose annually for the repair of lateral sewer service lines on residential property having six or less dwelling units a fee not to exceed twenty-eight dollars per year.

2. The question shall be submitted in substantially the following form:

Shall a maximum charge of seven dollars be assessed quarterly on all residential property having six or less dwelling units to provide funds to pay the cost of certain repairs of defective lateral sewer service lines of those dwelling units?

☐ YES

☐ NO

3. If a majority of the voters voting thereon approve the proposal provided for in subsection 2 of this section, the governing body of the city, town, village or county may enact an ordinance for the collection and administration of such fee in order to protect the public health, welfare, peace and safety. The funds collected pursuant to such ordinance shall be deposited in a special account to be used solely for the purpose of paying for all or a portion of the costs reasonably associated with and necessary to administer and carry out the defective lateral sewer service line repairs. All interest generated on deposited funds shall be accrued to the special account established for the repair of lateral sewer service lines."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kissell, **House Amendment No. 1** was adopted.

On motion of Representative Relford, **HCS HB 1074, as amended**, was adopted.

On motion of Representative Relford, **HCS HB 1074, as amended**, was ordered perfected and printed.

HB 1363, relating to Midwest Regional Rail Compact, was taken up by Representative Bray.

On motion of Representative Bray, **HB 1363** was ordered perfected and printed.

HCS HB 1144, relating to home improvement loans, was taken up by Representative Scheve.

Representative Scheve offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1144, Page 2, Section 407.1090, Line 27, by inserting after the word “credit” the word “**is**”; and

Further amend said page and section, line 29, by inserting after the word “Payment” the words “**is made**”; and

Further amend said page and section, line 36, by inserting after the word “mortgages” the words “**is made**”.

On motion of Representative Scheve, **House Amendment No. 1** was adopted.

On motion of Representative Scheve, **HCS HB 1144, as amended**, was adopted.

On motion of Representative Scheve, **HCS HB 1144, as amended**, was ordered perfected and printed.

HB 1321, relating to interstate compact, was taken up by Representative Relford.

On motion of Representative Relford, **HB 1321** was ordered perfected and printed.

HCS HB 1142, relating to traffic regulations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HCS HB 1142** was adopted.

On motion of Representative Ransdall, **HCS HB 1142** was ordered perfected and printed.

HB 1186, with House Committee Amendment No. 1, relating to conveyance of the church farm, was taken up by Representative Gratz.

On motion of Representative Gratz, **House Committee Amendment No. 1** was adopted.

On motion of Representative Gratz, **HB 1186, as amended**, was ordered perfected and printed.

Representative Crump suggested the absence of a quorum.

Representative Foley assumed the Chair.

Speaker Gaw resumed the Chair.

The following roll call indicated a quorum present:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Boucher	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Pouche	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Richardson	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Stokan	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 000

PRESENT: 004

Lograsso	Ridgeway	Reynolds	Wright
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ABSENT WITH LEAVE: 008

Bonner	Days	Dolan	Fraser	Gambaro
Kasten	Levin	Parker		

VACANCIES: 001

Representative Foley resumed the Chair.

REFERRAL OF HOUSE BILL

HCS HB 1074 - Fiscal Review

COMMITTEE REPORTS

Committee on Public Safety and Law Enforcement, Chairman Kissell reporting:

Mr. Speaker: Your Committee on Public Safety and Law Enforcement, to which was referred **HB 1353**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1742**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 71, introduced by Representative Bartle, relating to regular sessions of the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1970, introduced by Representative Koller, relating to traffic regulations.

HB 1971, introduced by Representatives Wright, Blunt, Bartle, Patek and Selby, et al, relating to sales tax exemptions.

HB 1972, introduced by Representatives Gunn, Curls, Thompson, Troupe, Wilson (42), Murray, Carter, Shelton, Riley, Boykins and Dougherty, et al, relating to the Rosa Parks Highway.

HB 1973, introduced by Representatives Hosmer and Boucher, relating to controlled substances.

HB 1974, introduced by Representatives Selby, Kreider, Abel and Ward, relating to sales tax exemptions.

HB 1975, introduced by Representative Richardson, relating to recorders of deeds.

HB 1976, introduced by Representative Selby, relating to qualifications and disqualification of certain employees.

HB 1977, introduced by Representatives Lawson and Klindt, relating to the tobacco settlement money.

HB 1978, introduced by Representative Lawson, relating to intestate succession and wills.

WITHDRAWAL OF HOUSE BILLS

February 9, 2000

Ms. Anne Walker, Chief Clerk
MO House of Representatives
Capitol Building
Jefferson City, MO 65101

Dear Ms. Walker:

I would like to withdraw **HB 1613**, relating to county employees' retirement system.

Your kind consideration is appreciated.

Very truly yours,

/s/ Robert M. Clayton III
Representative
District Ten

February 9, 2000

The Honorable Steve Gaw, Speaker
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1741** be withdrawn.

Thank you for your attention in this request.

Sincerely,

/s/ Henry Rizzo
State Representative
District 40

February 8, 2000

Ms. Anne Walker, Chief Clerk
MO House of Representatives
Room 306C State Capitol
Jefferson City, MO 65101

Dear Ms. Walker:

I respectfully request that **HB 1704** be withdrawn. Thank you for your attention to this matter.

Cordially,

/s/ W. Craig Hosmer
State Representative
District 138

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 719**, entitled:

An act to repeal section 70.500, RSMo Supp. 1999, relating to the Kansas and Missouri Metropolitan Culture District, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Parker, Gambaro, Days, Fraser, Dolan and Bonner.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 10, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twentieth Day, Tuesday, February 8, 2000, pages 232 and 233, roll call, by showing Representative Blunt voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY
Thursday, February 10, 2000. Hearing Room 1 upon adjournment.
Continue mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION
Monday, February 14, 2000, 1:00 pm. Hearing Room 7. Mark-up.

BANKS AND FINANCIAL INSTITUTIONS
Wednesday, February 16, 2000, 3:00 pm. Hearing Room 3.
Presentation of the Federal Financial Modernization Act of 1999.
Rescheduled from 2-9-2000.

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 16, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session.

To be considered - HB 1324, HB 1436, HB 1520, HB 1551, HB 1678, HB 1712,
HCR 7

CONSUMER PROTECTION

Thursday, February 10, 2000. Side gallery upon adjournment.

Executive Session.

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 15, 2000, 4:00 pm. Hearing Room 3.

To be considered - HB 1217, HB 1279, HB 1412

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 15, 2000, 7:00 pm. Hearing Room 3.

Kansas City and St. Louis Schools Accreditation Issue.

ENVIRONMENT AND ENERGY

Thursday, February 10, 2000, 8:00 am. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1439, HB 1601, HB 1655, HCR 12

INSURANCE

Thursday, February 10, 2000, 9:30 am. Side gallery. Executive Session.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, February 10, 2000. Hearing Room 5 upon adjournment.

AMENDED NOTICE.

To be considered - Executive Session - HB 1603

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 15, 2000, 7:30 pm. Hearing Room 6. AMENDED NOTICE.

Executive Session.

To be considered - HB 1260, HB 1719

UTILITIES REGULATION

Thursday, February 10, 2000, 8:15 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1415, HJR 53

HOUSE CALENDAR

TWENTY-SECOND DAY, THURSDAY, FEBRUARY 10, 2000

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 71

HOUSE BILLS FOR SECOND READING

HB 1970 through HB 1978

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61 - Van Zandt

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1114 - Franklin

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1215 & 1240 - Smith
- 2 HB 1082 - Crump
- 3 HB 1452 - Foley
- 4 HCS HB 1742 - Koller
- 5 HCS HB 1254 - Kissell

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 1362, HS, as amended, pending - Harlan

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1074 - (Fiscal Review 2-9-00) - Relford
- 2 HB 1363 - Bray
- 3 HCS HB 1144 - Scheve
- 4 HB 1321 - Relford
- 5 HCS HB 1142 - Ransdall
- 6 HB 1186 - Gratz

SENATE BILL FOR SECOND READING

SCS SB 719

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TWENTY-SECOND DAY, THURSDAY, FEBRUARY 10, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Bless this House, O Lord, with leaders who both think and feel; with lawmakers who love the people; with craftsmen and women who balance needs and resources; with members whose loyalty is to do the best for Missouri they are able to do.

And give to them a light touch, a smile bright with the light of love, and a joy for the task of the day. To You be glory and power, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-first day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 237 - Representative McClelland
House Resolution No. 238 - Representative Davis (122)
House Resolution No. 239 - Representative Levin
House Resolution No. 240 - Representative Ridgeway
House Resolution No. 241 and House Resolution No. 242 - Representative Smith
House Resolution No. 243 - Representatives Hendrickson, Enz and Murphy
House Resolution No. 244 - Representative Legan
House Resolution No. 245 - Representative Enz
House Resolution No. 246 - Representative Black
House Resolution No. 247 - Representative McClelland
House Resolution No. 248 - Representative Miller
House Resolution No. 249 - Representative Days
House Resolution No. 250 - Representative Leake
House Resolution No. 251 - Representative Robirds
House Resolution No. 252 and House Resolution No. 253 - Representative Seigfreid
House Resolution No. 254 and House Resolution No. 255 - Representative Howerton
House Resolution No. 256 - Representatives Curls, Riley and Wilson (42)
House Resolution No. 257 through House Resolution No. 261 - Representative Howerton
House Resolution No. 262 through House Resolution No. 264 - Representative McClelland
House Resolution No. 265 - Representative Green
House Resolution No. 266 - Representatives Reynolds, George and Green

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 71 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1970 through **HB 1978** were read the second time.

SECOND READING OF SENATE BILL

SCS SB 719 was read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1074, HCS HB 1142, HCS HB 1144, HB 1186, HB 1321** and **HB 1363**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HB 1363, relating to Interstate Passenger Rail Compact, was taken up by Representative Bray.

On motion of Representative Bray, **HB 1363** was read the third time and passed by the following vote:

AYES: 129

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Campbell
Carter	Champion	Cierpiot	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Howerton	Kelly 27	King
Kissell	Klindt	Kreider	Lakin	Lawson
Leake	Levin	Liese	Loudon	Luetkemeyer
Luetkenhaus	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Phillips	Pryor	Ransdall
Reid	Reinhart	Relford	Reynolds	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Smith	Stokan	Summers

Thompson	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 028

Ballard	Berkstresser	Burton	Chrismer	Crawford
Dolan	Elliott	Foster	Gross	Hohulin
Holand	Koller	Legan	Linton	Lograsso
Long	Marble	Murphy	Naeger	Nordwald
Pouche	Purgason	Richardson	Ridgeway	Scott
Surface	Townley	Williams 159		

PRESENT: 000

ABSENT WITH LEAVE: 005

Kasten	Kelley 47	Kennedy	Patek	Skaggs
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VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1144, relating to merchandising practices, was taken up by Representative Scheve.

On motion of Representative Scheve, **HCS HB 1144** was read the third time and passed by the following vote:

AYES: 158

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole

Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche	Pryor	Purgason	Ransdall	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Smith	Stokan
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Reid

ABSENT WITH LEAVE: 003

Kasten	Kelley 47	Skaggs
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VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Boykins moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

HB 1321, relating to interstate compact, was taken up by Representative Relford.

On motion of Representative Relford, **HB 1321** was read the third time and passed by the following vote:

AYES: 157

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie

Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Smith	Stokan	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 004

Kasten	Kelley 47	Reynolds	Skaggs
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VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hagan-Harrell, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Parker moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1142, relating to traffic regulations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HCS HB 1142** was read the third time and passed by the following vote:

AYES: 155

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Burton
Campbell	Carter	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer

Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Phillips	Pouche	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Smith	Stokan	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bennett	Berkstresser	Kasten	Kelley 47	Patek
Skaggs	Williams 121			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HBs 1215 & 1240, relating to computer crime, was taken up by Representative Smith.

Representative Smith offered **HS HCS HBs 1215 & 1240**.

Representative Scott offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1215 & 1240, Page 18, Section 569.099, Line 41, by inserting immediately after said line the following:

“570.083. 1. A person who uses the Internet to sell property when that person knows or has reasonable cause to believe the property is stolen, commits theft by Internet.

2. A person who uses the Internet to purchase property with a credit card or checking account when the person knows or has reasonable cause to believe the credit card or checking account is fictitious or stolen, commits theft by Internet.

3. Theft by Internet is a class C felony regardless of the value of the stolen property.”; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Scott, **House Amendment No. 1** was adopted.

Representative Hanaway offered **House Amendment No. 2**.

Representative Smith raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1215 & 1240, Page 38, Section 578.524, Line 19, by deleting lines 19 through 24.

Representative Froelker moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Marble offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1215 & 1240, Page 37, Section 578.524, Line 12, by placing a bracket in front of the word “or”; and

Further amend said bill, line 16, by placing a bracket after the word “material”; and

Further amend said bill, page 38, line 8, by placing a bracket in front of the word “or”; and

Further amend said bill, line 12, by placing a bracket after the word “material”.

Representative Marble moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Gibbons offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1215 & 1240, Page 12, Section 565.252, Line 13, by adding after the word “distributes” the following: “or allows to be viewed”.

On motion of Representative Gibbons, **House Amendment No. 4** was adopted.

On motion of Representative Smith, **HS HCS HBs 1215 & 1240, as amended**, was adopted.

On motion of Representative Smith, **HS HCS HBs 1215 & 1240, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 56 - Judiciary
HJR 62 - Miscellaneous Bills and Resolutions
HJR 63 - Missouri Tobacco Settlement
HJR 64 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1186 - Fiscal Review
HB 1243 - Judiciary
HB 1307 - Urban Affairs
HB 1381 - Commerce
HB 1382 - Commerce
HB 1418 - Critical Issues
HB 1446 - Local Government and Related Matters
HB 1462 - Ways and Means
HB 1496 - Consumer Protection and Housing
HB 1528 - Criminal Law
HB 1529 - Education - Elementary and Secondary
HB 1560 - Criminal Law
HB 1580 - Judiciary
HB 1581 - Criminal Law
HB 1596 - Insurance
HB 1664 - Civil and Administrative Law
HB 1720 - Miscellaneous Bills and Resolutions
HB 1793 - Local Government and Related Matters
HB 1794 - Criminal Law
HB 1796 - Agri-Business
HB 1797 - Miscellaneous Bills and Resolutions
HB 1798 - Civil and Administrative Law
HB 1800 - Correctional and State Institutions
HB 1801 - Environment and Energy
HB 1802 - Insurance
HB 1803 - Local Government and Related Matters
HB 1804 - Public Health

HB 1805 - Judiciary
HB 1806 - Agriculture
HB 1807 - Judiciary
HB 1808 - Retirement
HB 1809 - Judiciary
HB 1812 - Children, Youth and Families
HB 1813 - Ways and Means
HB 1814 - Correctional and State Institutions
HB 1815 - Retirement
HB 1816 - Labor
HB 1817 - Social Services, Medicaid and the Elderly
HB 1818 - Criminal Law
HB 1819 - Children, Youth and Families
HB 1820 - Education - Higher
HB 1821 - Civil and Administrative Law
HB 1822 - Criminal Law
HB 1823 - Motor Vehicle and Traffic Regulations
HB 1824 - Ways and Means
HB 1825 - Tourism, Recreation and Cultural Affairs
HB 1826 - Critical Issues
HB 1827 - Professional Registration and Licensing
HB 1828 - Public Health
HB 1829 - Ways and Means
HB 1830 - Ways and Means
HB 1831 - Ways and Means
HB 1832 - Ways and Means
HB 1833 - Ways and Means
HB 1834 - Ways and Means
HB 1835 - Critical Issues
HB 1836 - Fiscal Review
HB 1837 - Civil and Administrative Law
HB 1838 - Motor Vehicle and Traffic Regulations
HB 1839 - Criminal Law
HB 1840 - Civil and Administrative Law
HB 1841 - Agriculture
HB 1842 - Utilities Regulation
HB 1843 - Local Government and Related Matters
HB 1844 - Correctional and State Institutions
HB 1845 - Education - Elementary and Secondary
HB 1846 - Urban Affairs
HB 1847 - Retirement
HB 1848 - Professional Registration and Licensing
HB 1849 - Local Government and Related Matters
HB 1850 - Local Government and Related Matters
HB 1851 - Criminal Law

HB 1852 - Education - Elementary and Secondary
HB 1853 - Education - Elementary and Secondary
HB 1854 - Education - Elementary and Secondary
HB 1855 - Judiciary
HB 1856 - Judiciary
HB 1857 - Professional Registration and Licensing
HB 1858 - Civil and Administrative Law
HB 1860 - Education - Elementary and Secondary
HB 1861 - Ways and Means
HB 1862 - Critical Issues
HB 1863 - Motor Vehicle and Traffic Regulations
HB 1864 - Ways and Means
HB 1865 - Children, Youth and Families
HB 1867 - Education - Elementary and Secondary
HB 1868 - Professional Registration and Licensing
HB 1869 - Consumer Protection and Housing
HB 1870 - Ways and Means
HB 1871 - Social Services, Medicaid and the Elderly
HB 1872 - Elections
HB 1873 - Education - Elementary and Secondary
HB 1874 - Insurance
HB 1875 - Fiscal Review
HB 1876 - Education - Elementary and Secondary
HB 1877 - Consumer Protection and Housing
HB 1878 - Utilities Regulation
HB 1879 - Critical Issues
HB 1880 - Criminal Law
HB 1881 - Transportation
HB 1882 - Ways and Means
HB 1883 - Local Government and Related Matters
HB 1884 - Education - Elementary and Secondary
HB 1885 - Motor Vehicle and Traffic Regulations
HB 1886 - Ways and Means
HB 1887 - Criminal Law
HB 1888 - Education - Higher
HB 1889 - Public Safety and Law Enforcement
HB 1890 - Social Services, Medicaid and the Elderly
HB 1892 - Local Government and Related Matters
HB 1893 - Education - Higher
HB 1894 - Consumer Protection and Housing
HB 1895 - Utilities Regulation
HB 1896 - Education - Elementary and Secondary
HB 1897 - Civil and Administrative Law
HB 1898 - Transportation
HB 1899 - Civil and Administrative Law

HB 1900 - Motor Vehicle and Traffic Regulations
HB 1903 - Local Government and Related Matters
HB 1932 - Critical Issues

COMMITTEE REPORTS

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1602**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1597**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1737**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1603**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment Nos. 1 and 2**.

House Committee Amendment No. 1

AMEND House Bill No. 1603, Pages 1 to 3, Section 407.815, by deleting all of said section; and

Further amend said bill, Page 3, Section 407.816, by deleting all of said section; and

Further amend said bill, Pages 3 to 5, Section 407.817, by deleting all of said section; and

Further amend said bill, Pages 8 to 15, Section 407.825, by deleting all of said section; and

Further amend said bill, Page 16, Section 407.923, Lines 21 to 22, by deleting all of said lines and inserting in lieu thereof the following: "**person who has made a reasonable, bona fide, unencumbered initial investment in the franchise which is subject to loss. Such sales price**"; and

Further amend said bill, Page 17, Section 407.923, Line 43, by inserting after all of said line the following:

"4. Franchisee may sell new motor vehicles from two or more different manufacturers, as long as the franchisee has separate show rooms.

5. Subsection 2 of this section and subdivision (1) of subsection 3 of this section shall expire August 28, 2002."; and

Further amend said title, enacting clause and intersectional references accordingly.

House Committee Amendment No. 2

AMEND House Bill No. 1603, Pages 5 to 8, Section 407.822, by deleting all of said section and inserting in lieu thereof the following:

"407.822. 1. Any party seeking relief pursuant to the provisions of sections 407.810 to 407.835 may file an application for a hearing with the administrative hearing commission within the time periods specified in this section. The application for a hearing shall comply with the requirements for a request for agency action set forth in chapter 536, RSMo. Simultaneously, with the filing of the application for a hearing with the administrative hearing commission, the applicant shall send by certified mail, return receipt requested, a copy of the application to the party or parties against whom relief is sought. Within [ten days of] **upon** receiving a timely application for a hearing, the administrative hearing commission shall enter an order fixing a date, time and place for a hearing on the record. [Such hearing shall be within forty-five days of the date of the order but the administrative hearing commission may continue the hearing date up to forty-five additional days by agreement of the parties or upon a finding of good cause.] The administrative hearing commission shall send by certified mail, return receipt requested, a copy of the order to the party seeking relief and to the party or parties against whom relief is sought. The order shall also state that the party against whom relief is sought shall not proceed with the initiation of its activity or activities until the administrative hearing commission issues its final decision or order, **and the party against whom relief is sought shall, within thirty days of such order, file its answer or other responsive pleading directed to each claim for relief set forth in the application for hearing. Failure to answer or otherwise respond within such time frame may be deemed by the administrative hearing commission as an admission of the grounds for relief as set forth in the application for hearing.**

2. Unless otherwise expressly provided in sections 407.810 to 407.835, the provisions of chapter 536, RSMo, shall govern hearings and prehearing procedures conducted pursuant to the authority of this section. **Any party may obtain discovery in the same manner, and under the same conditions and requirements, as is or may hereafter be provided for with respect to discovery in civil actions by rule of the supreme court of Missouri for use in the circuit courts, and the administrative hearing commission may enforce discovery by the same methods as provided by supreme court rule for use in civil cases.** The administrative hearing commission shall issue a final decision or order, in proceedings arising pursuant to the provisions of sections 407.810 to 407.835[, within sixty days from the conclusion of the hearing]. **In any proceeding initiated pursuant to sections 407.810 to 407.835 involving a matter requiring a franchisor to show good cause for any intended action being protested by a franchisee, the franchisor shall refrain from taking the protested action if, after hearing on the matter before the administrative hearing commission, the administrative hearing commission determines that good cause does not exist for the franchisor to take such action. The franchisee may, if necessary, seek enforcement of the decision of the administrative hearing commission pursuant to the provisions of section 407.835. Venue for such proceedings shall be in the circuit court of Cole County, Missouri. In determining any relief necessary for enforcement of the decision of the administrative hearing commission, the court shall defer to the commission's factual findings, and review shall be limited to a determination of whether the commission's decision was authorized by law and whether the commission abused its discretion.** Any final decisions shall be subject to review pursuant to a petition for review to be filed in the court of appeals in the district in which the hearing, or any part of the hearing, is held and by delivery of copies of the petition to each party of record, within thirty days after the mailing or delivery of the final decision and notice of the final decision in such a case. **Appeal of the administrative hearing commission's decision pursuant to this section shall not preclude any action authorized by section 407.835, brought in a court of competent jurisdiction, requesting an award of legal or equitable relief, provided that such an action is brought solely for the purpose of enforcing a decision so the administrative hearing commission which is on appeal pursuant to this section, the court in which such action is pending shall hold in abeyance its judgment pending issuance of a decision by the court of appeals.** Review pursuant to this section shall be exclusive and decisions of the administrative hearing commission reviewable pursuant to this section shall not be reviewable in any other proceeding, and no other official or court shall have power to review any such decision by an action in the nature of mandamus or otherwise, except pursuant to the provisions of this section. The party seeking review shall be responsible for the filing of the transcript and record of all proceedings before the administrative hearing commission with the appropriate court of appeals.

3. Any franchisee receiving a notice from a franchisor pursuant to the provisions of sections 407.810 to 407.835, or any franchisee adversely affected by a franchisor's acts or proposed acts described in the provisions of sections 407.810 to 407.835, shall be entitled to file an application for a hearing before the administrative hearing commission

for a determination as to whether the franchisor has good cause for its acts or proposed acts.

4. Not less than sixty days before the effective date of the initiation of any enumerated act pursuant to subdivisions (5), (6), (7) and (14) of subsection 1 of section 407.825, a franchisor shall give written notice to the affected franchisee or franchisees, by certified mail, return receipt requested, except as follows:

(1) Upon the initiation of an act pursuant to subdivision (5) of subsection 1 of section 407.825, such notice shall be given not less than fifteen days before the effective date of such act only if the grounds for the notice include the following:

(a) Transfer of any ownership or interest in the franchised dealership without the consent of the motor vehicle franchisor;

(b) Material misrepresentation by the motor vehicle franchisee in applying for the franchise;

(c) Insolvency of the motor vehicle franchisee or the filing of any petition by or against the motor vehicle franchisee under any bankruptcy or receivership law;

(d) Any unfair business practice by the motor vehicle franchisee after the motor vehicle franchisor has issued a written warning to the motor vehicle franchisee to desist from such practice;

(e) Conviction of the motor vehicle franchisee of a crime which is a felony;

(f) Failure of the motor vehicle franchisee to conduct customary sales and service operations during customary business hours for at least seven consecutive business days unless such closing is due to an act of God, strike or labor difficulty or other cause over which the motor vehicle franchisee has no control; or

(g) Revocation of the motor vehicle franchisee's license;

(2) Upon initiation of an act pursuant to subdivision (7) of subsection 1 of section 407.825, such notice shall be given within sixty days of the franchisor's receipt of a written proposal to consummate such sale or transfer and the receipt of all necessary information and documents generally used by the franchisor to conduct its review. **The franchisor shall acknowledge in writing to the applicant the receipt of the information and documents and if the franchisor requires additional information or documents to complete its review, the franchisor shall notify the applicant within fifteen days of the receipt of the information and documents. If the franchisor fails to request additional information and documents from the applicant within fifteen days after receipt of the initial forms, the sixty-day time period for approval shall be deemed to run from the initial receipt date. Otherwise, the sixty-day time period for approval shall run from receipt of the supplemental requested information. In no event shall the total time period for approval exceed seventy-five days from the date of the receipt of the initial information and documents.** The franchisor's notice of disapproval shall also specify the reasonable standard which the franchisor contends is not satisfied and the reason the franchisor contends such standard is not satisfied. Failure on the part of the franchisor to provide such notice shall be conclusively deemed an approval by the franchisor of the proposed sale or transfer to the proposed transferee. A franchisee's application for a hearing shall be filed with the administrative hearing commission within twenty days from receipt of such franchisor's notice;

(3) Pursuant to paragraphs (a) and (b) of subdivision (14) of subsection 1 of section 407.825, such notice shall be given within sixty days of the franchisor's receipt of a deceased or incapacitated franchisee's designated family member's intention to succeed to the franchise or franchises or of the franchisor's receipt of the personal and financial data of the designated family member, whichever is later.

5. A franchisor's notice to a franchisee or franchisees pursuant to subdivisions (5), (6), (7) and (14) of subsection 1 of section 407.825 shall contain a statement of the particular grounds supporting the intended action or activity which shall include any reasonable standards which were not satisfied. The notice shall also contain at a minimum, on the first page thereof, a conspicuous statement which reads as follows: "NOTICE TO FRANCHISEE: YOU MAY BE ENTITLED TO FILE A PROTEST WITH THE MISSOURI ADMINISTRATIVE HEARING COMMISSION IN JEFFERSON CITY, MISSOURI, AND HAVE A HEARING IN WHICH YOU MAY PROTEST THE CONTENTS OF THIS NOTICE. ANY ACTION MUST BE FILED WITHIN TWENTY DAYS FROM RECEIPT OF THIS NOTICE."

6. When more than one application for a hearing is filed with the administrative hearing commission, the administrative hearing commission may consolidate the applications into one proceeding to expedite the disposition of all relevant issues.

7. In all proceedings before the administrative hearing commission pursuant to this section, section 407.825 and section 621.053, RSMo, where the franchisor is required to give notice pursuant to subsection 4 of this section, the franchisor shall have the burden of proving by a preponderance of the evidence that good cause exists for its actions. In all other actions, the franchisee shall have the burden of proof."; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1644**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 17, introduced by Representative Riley, instructing the State Highways and Transportation Commission and the Department of Transportation to name a section of Interstate 70, the "Derrick Thomas Memorial Highway".

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1979, introduced by Representative Wiggins, relating to municipal removal of weeds or trash.

HB 1980, introduced by Representatives Hartzler (124), Champion, Cierpiot, Hanaway, Holand and Myers, et al, relating to the department of higher education.

HB 1981, introduced by Representatives Hartzler (124), Gross, Champion, Cierpiot, Holand, Myers and Hanaway, et al, relating to adoption.

HB 1982, introduced by Representatives Hartzler (124), Loudon, Cierpiot, Hanaway, Myers and Gross, et al, relating to adoption.

HB 1983, introduced by Representatives Evans, Foley, Secrest, O'Connor, Gross, Hickey, Gibbons, Shelton and Backer, et al, relating to bullion and investment coins.

HB 1984, introduced by Representative Elliott, relating to motor vehicles.

HB 1985, introduced by Representatives Myers and Chrismer, et al, relating to registration of sex offenders.

HB 1986, introduced by Representatives Blunt, Marble, Pouche and Myers, et al, relating to the fair ballot language act.

HB 1987, introduced by Representatives Rizzo, Gaw, Kissell, Monaco, Bonner, Parker, Riley, Barry and Scheve, et al, relating to sexual offenses involving children.

HB 1988, introduced by Representatives Reynolds, Murray, Kissell, O'Connor, George, Hickey and Green, et al, relating to public officers and employees.

HB 1989, introduced by Representatives Gaw and Wiggins, relating to the establishment of the World War II Pearl Harbor Survivors Memorial Highway on highway 63.

HB 1990, introduced by Representatives Barnett, Gaskill, Richardson, Merideth and Summers, et al, relating to county boards of equalization.

HB 1991, introduced by Representatives Luetkemeyer and Pryor, relating to law enforcement districts.

HB 1992, introduced by Representative Gibbons, relating to a flat rate individual income tax.

HB 1993, introduced by Representatives Bennett, Chrismer, Gross and Dolan, relating to recall elections for school board members.

HB 1994, introduced by Representative Hanaway, relating to liability of trustees of political subdivisions.

HB 1995, introduced by Representative Hanaway, relating to controlled substances.

HB 1996, introduced by Representatives Backer, Hagan-Harrell, Kreider, Williams (159), Relford, Summers, Fitzwater and Berkowitz, et al, relating to teacher and school employee retirement systems.

HB 1997, introduced by Representatives Smith, Monaco, Hollingsworth, Williams (159), Davis (122) and Hosmer, relating to school safety.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Klindt has been appointed a member of the Appropriations - Natural and Economic Resources Committee.

WITHDRAWAL OF HOUSE BILL

February 10, 2000

The Honorable Steve Gaw
Speaker of the House
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **HB 1624** be withdrawn.

Thank you.

Sincerely,

/s/ Wes Wagner

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, February 14, 2000.

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, February 14, 2000, 8:00 pm. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1674, HB 1683, HB 1762

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, February 15, 2000. Hearing Room 1 upon adjournment.

Continue mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 14, 2000, 1:00 pm. Hearing Room 7.

Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 14, 2000, 10:30 am. Hearing Room 6.

Mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 15, 2000. Hearing Room 5 upon adjournment.

Open items. Executive Session.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 15, 2000, 8:00 am. Hearing Room 3.

Mark-up Dept. of Corrections, Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 15, 2000. Hearing Room 3 upon adjournment.

Mark-up Dept. of Corrections, Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 16, 2000, 8:00 am. Hearing Room 3.

Mark-up Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 16, 2000. Hearing Room 3 upon adjournment.

Mark-up Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 17, 2000, 8:00 am. Hearing Room 3.

Mark-up Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 17, 2000. Hearing Room 3 upon adjournment.

Mark-up Dept. of Social Services.

BANKS AND FINANCIAL INSTITUTIONS

Tuesday, February 15, 2000, 9:30 am. Side gallery.

To be considered - Executive Session - HB 1780

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 3.

Presentation of the Federal Financial Modernization Act of 1999.

Rescheduled from 2-9-2000.

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 16, 2000, 7:30 pm. Hearing Room 6.

AMENDED NOTICE. To be considered - HB 1712,

Executive Session - HB 1675, Executive Session - HB 1676,

Executive Session - HB 1677

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 1.

Executive Session will follow.

To be considered - HB 1502, HB 1543, HB 1703, HB 1770

CONSUMER PROTECTION

Tuesday, February 15, 2000, 8:00 pm. Hearing Room 1.

Executive Session.

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 15, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1604, HB 1654, HB 1769

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 15, 2000, 4:00 pm. Hearing Room 3.

To be considered - HB 1217, HB 1279, HB 1412

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 15, 2000, 7:00 pm. Hearing Room 3.

Kansas City and St. Louis Schools Accreditation Issue.

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, February 14, 2000, 8:00 pm. Hearing Room 1.

Executive Session may follow.

To be considered - HB 1736

FISCAL REVIEW

Wednesday, February 16, 2000, 8:30 am. Hearing Room 4.

Executive Session.

To be considered - HB 1074, HB 1186, HB 1510, HB 1586

INSURANCE

Tuesday, February 15, 2000, 8:30 am. Hearing Room 5.

To be considered - HB 1616, HB 1680, HB 1739

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 17, 2000.

Senate Committee Room 1 upon morning adjournment.

Closed meeting within the meaning of Chapter 610, RSMo

JUDICIARY

Tuesday, February 15, 2000, 3:00 pm. Hearing Room 5.

Executive Session to follow.

To be considered - HB 1138, HB 1181, HB 1182, HB 1276, HB 1367, HB 1374, HB 1403

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 15, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1228, HB 1236, HB 1306, HB 1364, HB 1399, HB 1432, HB 1513, HB 1515, HB 1645

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, February 15, 2000, 8:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1697, HB 1757, HB 1771

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 15, 2000, 7:30 pm. Hearing Room 6.

AMENDED NOTICE. Executive Session.

To be considered - HB 1260, HB 1719

WAYS AND MEANS

Tuesday, February 15, 2000, 3:00 pm. Hearing Room 6.

Executive Session possible.

To be considered - HB 1401, HB 1424, HB 1466, HB 1523, HB 1606, HB 1643,
HB 1687, HB 1700, HB 1726, HB 1773, HB 1774, HB 1810

HOUSE CALENDAR

TWENTY-THIRD DAY, MONDAY, FEBRUARY 14, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 17

HOUSE BILLS FOR SECOND READING

HB 1979 through HB 1997

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61 - Van Zandt

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1114 - Franklin

HOUSE BILLS FOR PERFECTION

- 1 HB 1082 - Crump
- 2 HB 1452 - Foley
- 3 HCS HB 1742 - Koller
- 4 HCS HB 1254 - Kissell
- 5 HCS HB 1644 - Hagan-Harrell

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 1362, HS, as amended, pending - Harlan

HOUSE BILLS FOR PERFECTION - CONSENT

(02-14-00)

- 1 HB 1376 - Farnen
- 2 HB 1197 - Hosmer
- 3 HB 1292 - Auer
- 4 HB 1208 - Fitzwater
- 5 HB 1353 - Farnen
- 6 HB 1185 - Gratz
- 7 HB 1085 - Selby
- 8 HB 1396 - Farnen
- 9 HB 1097 - Hosmer
- 10 HB 1289 - Auer

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1074, (Fiscal Review 2-9-00) - Relford
- 2 HB 1186, (Fiscal Review 2-10-00) - Gratz

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TWENTY-THIRD DAY, MONDAY, FEBRUARY 14, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, You are love itself. Bless the men and women of this House and those who support them. Give them a heart for tough decisions. Give them a heart for loyalty. Give them a heart for those whose needs are great. Give them a heart for children. Give them a heart for commitments. And to You be glory and power forever. Amen

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-second day was approved as corrected by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Burton
Campbell	Carter	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hosmer	Howerton	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Phillips	Pouche	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Smith	Stokan	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 002

Patek Wright

PRESENT: 000

ABSENT WITH LEAVE: 010

Backer
Hoppe

Ballard
Kasten

Froelker
Kelley 47

Hanaway
Mays 50

Hartzler 124
Skaggs

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 267 - Representative Kreider
House Resolution No. 268 - Representative Leake
House Resolution No. 269 - Representative Patek
House Resolution No. 270 - Representative Luetkemeyer
House Resolution No. 271 - Representative Ford
House Resolution No. 272 - Representative Murphy

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 17 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1979 through **HB 1997** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HBs 1215 & 1240 - Fiscal Review

PERFECTION OF HOUSE BILLS

HB 1082, relating to federal land acquisition, was placed on the Informal Calendar.

HB 1452, relating to Nazi Holocaust restitution, was taken up by Representative Foley.

On motion of Representative Foley, **HB 1452** was ordered perfected and printed.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 1114, relating to appropriations, was taken up by Representative Franklin.

Representative Burton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1114, Page 8, Section 14.230, by inserting immediately after said section one new section to read as follows:

Section 14.230. To the Attorney General	
Expense and Equipment	
From General Revenue Fund	\$235,000
Personal Service	59,153
Expense and Equipment	<u>51,552</u>
From Attorney General's Antitrust	
Revolving Fund	<u>110,705</u>
Total	\$ 345,705

On motion of Representative Burton, **House Amendment No. 1** was adopted by the following vote:

AYES: 137

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher	Boykins	Britt	Burton
Campbell	Carter	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Gambara	Gaskill	George
Gibbons	Graham 106	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hosmer	Howerton
Kelly 27	Kennedy	King	Kissell	Klindt
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	May 108	McBride
McClelland	McKenna	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Smith	Stokan
Summers	Surface	Townley	Treadway	Tudor
Vogel	Wagner	Wiggins	Williams 159	Wilson 42
Wright	Mr. Speaker			

NOES: 012

Bray 84	Days	Fraser	Graham 24	Harlan
Koller	McLuckie	Scheve	Schilling	Thompson
Van Zandt	Wilson 25			

PRESENT: 001

Riley

ABSENT WITH LEAVE: 012

Backer	Froelker	Hanaway	Hoppe	Kasten
Kelley 47	Luetkenhaus	Mays 50	Skaggs	Troupe
Ward	Williams 121			

VACANCIES: 001

Representative Lograsso offered **House Amendment No. 2**.

Representative Franklin raised a point of order that **House Amendment No. 2** is out of order according to Article IV, Section 25 of the Constitution.

The Chair ruled the point of order well taken.

Representative Troupe offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1114, Page 7, Section 14.170, Line 1, by deleting all of said section.; and

Further amend said bill and said page, Section 14.175, Line 1, by deleting all of said section.

On motion of Representative Troupe, **House Amendment No. 2** was adopted.

On motion of Representative Franklin, **HCS HB 1114, as amended**, was adopted.

On motion of Representative Franklin, **HCS HB 1114, as amended**, was ordered perfected and printed.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1998, introduced by Representatives Clayton and Hagan-Harrell, relating to certain county retirement systems.

HB 1999, introduced by Representative Gambaro, relating to the creation of a collaborative action team pilot program.

HB 2000, introduced by Representative Luetkenhaus, relating to child abuse reports.

HB 2001, introduced by Representative Scheve, relating to the gaming commission.

HB 2002, introduced by Representative Klindt, relating to fund transfers for certain school districts.

HB 2003, introduced by Representatives Kennedy, Gambaro and Hilgemann, relating to the contiguous property redevelopment fund.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 556**, entitled:

An act to repeal sections 355.561 and 355.596, RSMo 1994, relating to not for profit corporations, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 596**, entitled:

An act to repeal section 67.1360, RSMo Supp. 1999, relating to local sales tax for tourism, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 657**, entitled:

An act to repeal section 252.230, RSMo Supp. 1999, relating to wildlife offenses, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 663**, entitled:

An act to repeal section 337.029, RSMo Supp. 1999, as enacted by house committee substitute for senate committee substitute for senate bill no. 732 of the eighty-ninth general assembly, second regular session, relating to the regulation and licensing of psychologists.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 669**, entitled:

An act to repeal section 21.250, RSMo 1994, relating to powers of the general assembly, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 788**, entitled:

An act to repeal section 105.055, RSMo 1994, and section 105.058, RSMo Supp. 1999, relating to public officers and employees, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILLS

February 14, 2000

The Honorable Steve Gaw
Speaker of the House
Room 308, State Capitol
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1235** be withdrawn.

Thank you.

Sincerely,

/s/ Cindy Ostmann
District 14

February 14, 2000

The Honorable Steve Gaw
Speaker of the House
Room 308, State Capitol
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1721** be withdrawn.

Thank you.

Sincerely,

/s/ Cindy Ostmann
District 14

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 15, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-Second Day, Thursday, February 10, 2000, pages 257 and 258, roll call, by showing Representative Kennedy voting "aye" rather than "absent with leave".

Pages 257 and 258, roll call, by showing Representative Patek voting "no" rather than "absent with leave".

Pages 259 and 260, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Pages 260 and 261, roll call, by showing Representatives Berkstresser, Patek and Williams (121) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, February 15, 2000. Hearing Room 1 upon adjournment.
Continue mark-up. CANCELLED.

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 16, 2000. Hearing Room 1 upon adjournment.
Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 16, 2000. Hearing Room 6 upon adjournment.
Mark-up Dept. of Health, Dept. of Mental Health.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 15, 2000. Hearing Room 5 upon adjournment.
Open items. Executive Session.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 15, 2000, 8:00 am. Hearing Room 3.
Mark-up Dept. of Corrections, Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 15, 2000. Hearing Room 3 upon adjournment.
Mark-up Dept. of Corrections, Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 16, 2000, 8:00 am. Hearing Room 3.
Mark-up Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 16, 2000. Hearing Room 3 upon adjournment.
Mark-up Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 17, 2000, 8:00 am. Hearing Room 3.
Mark-up Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 17, 2000. Hearing Room 3 upon adjournment.
Mark-up Dept. of Social Services.

BANKS AND FINANCIAL INSTITUTIONS

Tuesday, February 15, 2000, 9:30 am. Side gallery.
To be considered - Executive Session - HB 1780

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 3.
Presentation of the Federal Financial Modernization Act of 1999.
Rescheduled from 2-9-2000.

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 16, 2000, 7:30 pm. Hearing Room 6.
AMENDED NOTICE. To be considered - HB 1712, Executive Session - HB 1675,
Executive Session - HB 1676, Executive Session - HB 1677

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 1.
Executive Session will follow.
To be considered - HB 1502, HB 1543, HB 1703, HB 1770

CONSUMER PROTECTION

Tuesday, February 15, 2000, 8:00 pm. Hearing Room 1.
Executive Session.

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 15, 2000, 8:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 1604, HB 1654, HB 1769

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, February 16, 2000, 8:30 am. Hearing Room 1.
CORRECTED NOTICE. To be considered - HB 1217, HB 1279,
HB 1412, Executive Session - HB 1073, Executive Session - HB 1154,
Executive Session - HB 1221, Executive Session - HB 1361

EDUCATION - HIGHER

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1609, HB 1660, HB 1893, Executive Session - HB 1475,
Executive Session - HB 1578

FISCAL REVIEW

Wednesday, February 16, 2000, 8:30 am. Hearing Room 4.

Executive Session. To be considered - HB 1074, HB 1186, HB 1510, HB 1586

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 16, 2000, 8:30 am. Hearing Room 8.

Possible Executive Session.

To be considered - HB 1728, HB 1733

INSURANCE

Tuesday, February 15, 2000, 8:30 am. Hearing Room 5.

To be considered - HB 1616, HB 1680, HB 1739

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 17, 2000. Senate Committee Room 1 upon morning
adjournment. Closed meeting within the meaning of Chapter 610, RSMo

JUDICIARY

Tuesday, February 15, 2000, 3:00 pm. Hearing Room 5.

Executive Session to follow.

To be considered - HB 1138, HB 1181, HB 1182, HB 1276, HB 1367, HB 1374,
HB 1403

LABOR

Tuesday, February 15, 2000, 3:00 pm. Hearing Room 3.

To be considered - HB 1816, Executive Session - HB 1377,
Executive Session - HB 1428

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 15, 2000, 3:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1514, HB 1545, HB 1651, HB 1659, HB 1684, HB 1708,
HB 1710, HB 1727, HB 1749, HB 1766, HB 1843

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 15, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1228, HB 1236, HB 1306, HB 1364, HB 1399, HB 1432,
HB 1513, HB 1515, HB 1645

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 16, 2000, 4:00 pm. Hearing Room 2.

To be considered - HB 1413, HB 1467, HB 1497, HB 1562, HB 1848

PUBLIC HEALTH

Tuesday, February 15, 2000, 3:00 pm. Hearing Room 4.

Executive Session to follow.

To be considered - HB 1605, HB 1711, HB 1754, HB 1804, HB 1828

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, February 15, 2000, 8:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1697, HB 1757, HB 1771

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 15, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow. AMENDED NOTICE.

To be considered - HB 1719

WAYS AND MEANS

Tuesday, February 15, 2000, 3:00 pm. Hearing Room 6.

Executive Session possible.

To be considered - HB 1401, HB 1424, HB 1466, HB 1523, HB 1606, HB 1643, HB 1687, HB 1700, HB 1726, HB 1773, HB 1774, HB 1810

HOUSE CALENDAR

TWENTY-FOURTH DAY, TUESDAY, FEBRUARY 15, 2000

HOUSE BILLS FOR SECOND READING

HB 1998 through HB 2003

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61 - Van Zandt

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1742 - Koller
- 2 HCS HB 1254 - Kissell
- 3 HCS HB 1644 - Hagan-Harrell

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HB 1082 - Crump

HOUSE BILLS FOR PERFECTION - CONSENT

(February 14, 2000)

- 1 HB 1376 - Farnen
- 2 HB 1197 - Hosmer
- 3 HB 1292 - Auer
- 4 HB 1208 - Fitzwater
- 5 HB 1353 - Farnen
- 6 HB 1185 - Gratz
- 7 HB 1085 - Selby
- 8 HB 1396 - Farnen
- 9 HB 1097 - Hosmer
- 10 HB 1289 - Auer

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 1114 - Franklin

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1074, (Fiscal Review 2-9-00) - Relford
- 2 HB 1186, (Fiscal Review 2-10-00) - Gratz
- 3 HS HCS HB 1215 & 1240, (Fiscal Review 2-14-00) - Smith

SENATE BILLS FOR SECOND READING

- 1 SB 556
- 2 SCS SB 596
- 3 SCS SB 657
- 4 SB 663
- 5 SB 669
- 6 SB 788

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TWENTY-FOURTH DAY, TUESDAY, FEBRUARY 15, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Eternal Father, Your resources are available to all who ask. Forgive us for our lack of faith that makes us satisfied with a little, when we could have more.

Give us the faith to believe that no problem, no issue, is beyond You, greater than Your love. May this faith in Your counsel and Your guidance be present at each desk in this House.

Keep us in the joy of life, ready for the day, ready to weigh words and ideas. And to You be honor and glory. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alex Hicks, Greg Mueller and Rebecca Price.

The Journal of the twenty-third day was approved as corrected by the following vote:

AYES: 145

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lawson	Leake	Legan	Levin
Liese	Linton	Long	Luetkemeyer	Luetkenhaus
Marble	May 108	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche	Pryor	Purgason	Ransdall
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Seigfreid	Selby
Shelton	Shields	Smith	Stokan	Summers

Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 003

Hanaway	Reid	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 014

Berkstresser	Cierpiot	Dolan	Gaskill	Kasten
Kelley 47	Lakin	Lograsso	Loudon	Mays 50
Scott	Secrest	Skaggs	Williams 121	

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 273 - Representative McClelland
House Resolution No. 274 - Representative Relford
House Resolution No. 275 - Representative Howerton
House Resolution No. 276 - Representative Marble
House Resolution No. 277 and House Resolution No. 278 - Representative Abel
House Resolution No. 279 - Representative Backer
House Resolution No. 280 - Representative Purgason
House Resolution No. 281 - Representative Purgason

SECOND READING OF HOUSE BILLS

HB 1998 through **HB 2003** were read the second time.

SECOND READING OF SENATE BILLS

SB 556, SCS SB 596, SCS SB 657, SB 663, SB 669 and **SB 788** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1114** and **HS HCS HBs 1215 & 1240**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HB 1742, relating to transportation bonds, was taken up by Representative Koller.

Representative Koller offered **HS HCS HB 1742**.

Representative Green offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 5, Section 226.134, Line 17 of said page, by inserting an opening bracket "[" before the word "All"; and

Further amend said bill, Page 5, Section 226.134, Line 18 of said page, by deleting the opening bracket "[" after the number "226.133"; and

Further amend said bill, Page 5, Section 226.134, Line 19 of said page, by deleting the closing bracket "]" before the word "shall"; and

Further amend said bill, Page 5, Section 226.134, Line 21 of said page, by inserting a closing bracket "]" after the period "."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Green moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 053

Abel	Auer	Barry 100	Bonner	Boucher
Boykins	Bray 84	Campbell	Carter	Curls
Davis 63	Days	Dougherty	Foley	Ford
Franklin	Fraser	Gambaro	George	Green
Gunn	Hagan-Harrell	Hickey	Hilgemann	Hollingsworth
Hoppe	Kennedy	Kissell	Lakin	Levin
Liese	McClelland	McKenna	McLuckie	Monaco
Murphy	Murray	O'Connor	O'Toole	Ostmann
Reid	Reynolds	Riley	Scheve	Schilling
Selby	Shelton	Stokan	Thompson	Treadway
Van Zandt	Wagner	Wilson 42		

NOES: 098

Akin	Alter	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Britt	Burton
Champion	Chrismer	Clayton	Crawford	Crump
Davis 122	Elliott	Enz	Evans	Farnen
Fitzwater	Foster	Froelker	Gaskill	Gibbons
Graham 106	Graham 24	Gratz	Griesheimer	Gross
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Hosmer
Howerton	Kelly 27	King	Klindt	Koller
Kreider	Lawson	Leake	Legan	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	McBride	Merideth	Miller	Myers
Naeger	Overschmidt	Parker	Patek	Phillips

Pouche	Pryor	Purgason	Ransdall	Reinhart
Relford	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Seigfreid	Shields
Smith	Summers	Surface	Townley	Tudor
Vogel	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Cierpiot	Dolan	Kasten	Kelley 47	May 108
Mays 50	Nordwald	Rizzo	Secrest	Skaggs
Troupe				

VACANCIES: 001

Representative Green requested verification of the roll call on the adoption of **House Amendment No. 1.**

Representative Dougherty offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 2, Section 226.133.1, Line 7, by deleting “Two” and inserting “Ten” ; and

on line 9, deleting “Two” and inserting “Ten”; and

on line 23, deleting “Two” and inserting “Ten”.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 2, Section 226.133.1, Line 7, by deleting “Two” and inserting “Three” ; and

on line 9, deleting “Two” and inserting “Three”; and

on line 23, deleting “Two” and inserting “Three”.

Representative Shields moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Blunt	Boatright
Burton	Champion	Chrismer	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	King	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	McClelland	Miller
Myers	Naeger	Nordwald	Ostmann	Patek
Phillips	Pouche	Pryor	Purgason	Reid
Reinhart	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Shields	Summers
Surface	Townley	Tudor	Vogel	Wagner
Wright				

NOES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Black	Bonner	Boucher	Boykins	Bray 84
Britt	Campbell	Carter	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	McBride	McKenna	McLuckie	Merideth
Monaco	Murphy	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Smith	Stokan	Thompson
Treadway	Troupe	Van Zandt	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Cierpiot	Kasten	Kelley 47	Mays 50	Secrest
Skaggs				

VACANCIES: 001

House Amendment No. 2 was withdrawn.

HCS HB 1742, with HS, pending, was laid over.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 1114, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCS HB 1114** was read the third time and passed by the following vote:

AYES: 085

Abel	Alter	Auer	Barnett	Bennett
Bray 84	Burton	Campbell	Carter	Crump
Curls	Davis 63	Days	Dougherty	Elliott
Fitzwater	Foley	Ford	Franklin	Gibbons
Graham 106	Gratz	Green	Griesheimer	Gunn
Hagan-Harrell	Harlan	Hartzler 123	Hickey	Hilgemann
Hohulin	Holand	Kelly 27	Kennedy	Koller
Kreider	Lakin	Lawson	Leake	Legan
Liese	Lograsso	Long	Luetkenhaus	Marble
May 108	McKenna	McLuckie	Monaco	Murray
Naeger	O'Toole	Ostmann	Parker	Pryor
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Shelton	Shields	Smith	Stokan
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Wiggins	Williams 121	Wilson 25	Wilson 42	Mr. Speaker

NOES: 066

Akin	Backer	Ballard	Barry 100	Bartelsmeyer
Bartle	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher	Boykins	Champion
Chrismer	Crawford	Davis 122	Dolan	Enz
Evans	Farnen	Foster	Fraser	Froelker
Gambaro	Gaskill	George	Graham 24	Gross
Hampton	Hanaway	Hartzler 124	Hegeman	Hendrickson
Hollingsworth	Hoppe	Hosmer	Howerton	King
Kissell	Klindt	Levin	Linton	Loudon
Luetkemeyer	McClelland	Merideth	Miller	Murphy
Myers	Nordwald	Overschmidt	Patek	Phillips
Pouche	Purgason	Ransdall	Reid	Reinhart
Relford	Sallee	Seigfreid	Selby	Williams 159
Wright				

PRESENT: 001

Clayton

ABSENT WITH LEAVE: 010

Britt	Cierpiot	Kasten	Kelley 47	Mays 50
McBride	O'Connor	Secrest	Skaggs	Ward

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Green, title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

Representative Crump requested verification of the roll call on the Third Reading and Final Passage of **HCS HB 1114**.

Representative Bennett raised a point of order that the request for roll call verification was out of order according to Rule 92.

The Chair ruled the point of order well taken.

Representative Crump moved that Rule 92 be suspended.

Which motion was adopted by the following vote:

AYES: 148

Abel	Akin	Alter	Backer	Ballard
Barnett	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Burton
Campbell	Carter	Champion	Chrismer	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
Nordwald	Ostmann	Overschmidt	Parker	Patek
Phillips	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Smith	Stokan
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Auer	Green	O'Toole
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PRESENT: 000

ABSENT WITH LEAVE: 011

Barry 100	Cierpiot	Kasten	Kelley 47	Mays 50
McBride	Murphy	O'Connor	Pouche	Secrest
Skaggs				

VACANCIES: 001

Representative Crump again requested verification of the roll call on the Third Reading and Final Passage of **HCS HB 1114**.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 17 - Transportation

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1696 - Public Safety and Law Enforcement

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Williams (159) reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1443**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1486**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1143**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2004, introduced by Representative Patek, relating to public assistance.

HB 2005, introduced by Representative McKenna, relating to funding of higher education with video gaming revenues.

HB 2006, introduced by Representatives Reid, Scheve, McClelland and Selby, relating to pharmaceutical income tax credits for low income elderly and disabled persons.

HB 2007, introduced by Representative Holand, relating to cities eligible for charter schools.

HB 2008, introduced by Representatives Pryor and Luetkemeyer, et al, relating to watercraft financial responsibility.

HB 2009, introduced by Representative Rizzo, relating to refunding of administrative fees.

HB 2010, introduced by Representatives Dolan and Britt, relating to passing bad checks.

HB 2011, introduced by Representatives Overschmidt, Gaw and Ransdall, et al, relating to the calculation of real property tax rates in all counties.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 16, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-third Day, Monday, February 14, 2000, pages 276 and 277, roll call, by showing Representative Ballard voting "aye" rather than "absent with leave".

Pages 278 and 279, roll call, by showing Representative Ward voting "aye" rather than "absent with leave".

Pages 278 and 279, roll call, by showing Representative Boykins voting "no" rather than "aye".

COMMITTEE MEETINGS

AGRI-BUSINESS

Wednesday, February 16, 2000. Side gallery upon adjournment.
To be considered - Executive Session - HB 1683

AGRICULTURE

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 1841

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 16, 2000. Hearing Room 1 upon adjournment.
Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 16, 2000. Hearing Room 6 upon adjournment. Mark-up
Dept. of Health and the Dept. of Mental Health.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 16, 2000, 8:00 am. Hearing Room 3.

Mark-up Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 16, 2000. Hearing Room 3 upon adjournment.

Mark-up Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 17, 2000, 8:00 am. Hearing Room 3.

Mark-up Dept. of Social Services.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 17, 2000. Hearing Room 3 upon adjournment.

Mark-up Dept. of Social Services.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 3.

Presentation of the Federal Financial Modernization Act of 1999. AMENDED.

Executive Session may follow.

To be considered - HB 1942

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 16, 2000, 7:30 pm. Hearing Room 6. AMENDED NOTICE.

To be considered - HB 1712, Executive Session - HB 1675,

Executive Session - HB 1676, Executive Session - HB 1677

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 1.

Executive Session will follow.

To be considered - HB 1502, HB 1543, HB 1703, HB 1770

COMMERCE

Wednesday, February 16, 2000, 5:00 pm. Hearing Room 4.

Executive Session may follow.

To be considered - HB 1330, HB 1382, HB 1547

CRIMINAL LAW

Wednesday, February 16, 2000. Side gallery upon morning adjournment.

Executive Session.

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, February 16, 2000, 8:30 am. Hearing Room 1. CORRECTED NOTICE.

To be considered - HB 1217, HB 1279, HB 1412, Executive Session - HB 1073,

Executive Session - HB 1154, Executive Session - HB 1221,

Executive Session - HB 1361

EDUCATION - HIGHER

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1609, HB 1660, HB 1893, Executive Session - HB 1475,

Executive Session - HB 1578

ELECTIONS

Tuesday, February 22, 2000, 8:00 pm. Hearing Room 5.

Discussion on HEC 1 and HEC 2.

To be considered - HB 1636, HB 1637, HB 1872

FISCAL REVIEW

Wednesday, February 16, 2000, 8:30 am. Hearing Room 4. Executive Session.

To be considered - HB 1074, HB 1186, HB 1510, HB 1586

FISCAL REVIEW

Wednesday, February 16, 2000, 1:30 pm. Hearing Room 4. Executive Session.

To be considered - HB 1215, HB 1875

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 16, 2000, 8:30 am. Hearing Room 5.

Possible Executive Session. CORRECTED NOTICE.

To be considered - HB 1728, HB 1733

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 17, 2000, 9:00 a.m. Hearing Room 4.

Presentation of Oversight Reports.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 17, 2000. Senate Committee Room 1 upon morning adjournment. Closed meeting within the meaning of Chapter 610, RSMo

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 16, 2000, 8:45 am. Hearing Room 6.

To be considered - HB 1394, HB 1775, HB 1797, Executive Session - HB 1454

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 2.

AMENDED NOTICE.

To be considered - HB 1413, HB 1467, HB 1497, HB 1562, HB 1848

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 17, 2000, 9:30 am. Room 401.

To be considered - Executive Session - HB 1242,

Executive Session - HB 1591, Executive Session - HB 1685

PUBLIC HEALTH

Thursday, February 17, 2000, 9:15 am. Side gallery.

Executive Session.

RETIREMENT

Wednesday, February 16, 2000, 8:00 pm. Hearing Room 1.

Executive Session Follows.

To be considered - HB 1764, HB 1808, HB 1815, HB 1847

TRANSPORTATION

Wednesday, February 16, 2000, 3:00 pm. Hearing Room 6.

Executive Session to follow.

To be considered - HB 1137, HB 1252, HB 1447, HB 1672

HOUSE CALENDAR

TWENTY-FIFTH DAY, WEDNESDAY, FEBRUARY 16, 2000

HOUSE BILLS FOR SECOND READING

HB 2004 through HB 2011

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61 - Van Zandt

HOUSE BILLS FOR PERFECTION

1 HCS HB 1742, HS, pending - Koller

2 HCS HB 1254 - Kissell

3 HCS HB 1644 - Hagan-Harrell

4 HB 1443 - Koller

5 HCS HB 1602 - Leake

6 HCS HB 1737 - Monaco

7 HCS HB 1143 - Scheve

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1362, HS, as amended, pending - Harlan

2 HB 1082 - Crump

HOUSE BILLS FOR PERFECTION - CONSENT

(February 14, 2000)

- 1 HB 1376 - Farnen
- 2 HB 1197 - Hosmer
- 3 HB 1292 - Auer
- 4 HB 1208 - Fitzwater
- 5 HB 1353 - Farnen
- 6 HB 1185 - Gratz
- 7 HB 1085 - Selby
- 8 HB 1396 - Farnen
- 9 HB 1097 - Hosmer
- 10 HB 1289 - Auer

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 10 - Auer

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1074, (Fiscal Review 2-9-00) - Relford
- 2 HB 1186, (Fiscal Review 2-10-00) - Gratz
- 3 HS HCS HB 1215 & 1240, (Fiscal Review 2-14-00) - Smith
- 4 HB 1452 - Foley

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TWENTY-FIFTH DAY, WEDNESDAY, FEBRUARY 16, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, as we pray, help us to place our actions in harmony with Your will. We are ashamed that we have done so little with so much, yet we press on to do better.

Bless our nation. Bless our state. Bless this House.

And to You be Glory and Honor, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

Speaker Pro Tem Kreider assumed the Chair.

The Journal of the twenty-fourth day was approved as printed by the following vote:

AYES: 153

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Smith
Stokan	Summers	Surface	Thompson	Townley

Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 003

Hanaway	Loudon	Wright
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PRESENT: 001

Reid

ABSENT WITH LEAVE: 005

Champion	Kasten	Kelley 47	Nordwald	Skaggs
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VACANCIES: 001

RESOLUTION

HR 2718 was taken up by Representative King and read.

House Resolution No. 2718

WHEREAS, upon occasion the members of the Missouri House of Representatives pause to applaud the achievements of an outstanding group of high school athletes whose strong determination to succeed has contributed to a spectacular season of competition; and

WHEREAS, the talented Tigers of Rich Hill R-IV High School are to be commended for their impressive show of strength and ability on November 26, 1999, in their mighty quest to distinguish themselves as the very best football team in Missouri Class 1A; and

WHEREAS, on that historic day, the Rich Hill Football Tigers proudly won the Class 1A State Championship by putting on a strong performance in the second half of the game to defeat the Santa Fe Chiefs 15-7 at the Trans World Dome in St. Louis; and

WHEREAS, the Tigers from Rich Hill went down in history as the first football team in their school to enjoy the honor of participating in the prestigious State Tournament under the direction of Head Coach Jerry Cornelius and Assistant Coaches Jerry Boone and Brian Thomas; and

WHEREAS, the Rich Hill Tigers realized this spectacular feat with total team commitment from Danny Calvert, Adam Diehl, Ryan Rapp, Brian Keiser, Craig Klinksick, William Wetter, Josh Entrikin, Justin Linder, Curtis Gwinn, Ronnie Gwinn, Andrew Diehl, Jason DeTienne, Charles Cowin, Floyd Kennedy, Benny McCoun, Michael Simmons, Jeremy Rich, Kent Fletcher, Brice Fischer, Chad Heuser, Nathan Kassner, Kellen Fischer, Eric Fox, Derek Ephland, and Larry Baker; and

WHEREAS, the Champion Tigers won the hearts of countless fans from both the urban and the rural sectors of the Rich Hill community and enjoyed their support at every game and at every pep rally led by the cheerleaders and bolstered by the entire student body; and

WHEREAS, the Tigers were also fortunate to receive the backing of individuals and businesses in all parts of the Rich Hill community to help defray the cost of chartered bus service to and from the Dome:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, join unanimously in extending hearty congratulations and best wishes to the Rich Hill Tigers for a super season that culminated in their school's first state football championship; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Rich Hill R-IV School District.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 282 and House Resolution No. 283 - Representative Hartzler (124)
House Resolution No. 284 - Representative Thompson
House Resolution No. 285 - Representative Townley
House Resolution No. 286 through House Resolution No. 289 - Representative Hanaway
House Resolution No. 290 - Representative Van Zandt
House Resolution No. 291 - Representative Kennedy
House Resolution No. 292 - Representative Leake
House Resolution No. 293 - Representative Hosmer
House Resolution No. 294 - Representative Purgason

SECOND READING OF HOUSE BILLS

HB 2004 through **HB 2011** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1452**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HB 1742, with HS, pending, relating to transportation bonds, was taken up by Representative Koller.

Representative Hollingsworth offered **House Amendment No. 2**.

House Amendment No. 2 was withdrawn.

Representative Hollingsworth offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 5, Section 226.134, Line 21, by inserting after all of said line the following:

"226.220. 1. There is hereby created and set up the "State Road Fund" which shall receive all moneys and credits from:

- (1) The sale of state road bonds;
- (2) The United States government and intended for highway purposes;
- (3) The state road bond and interest sinking fund as provided in section 226.210; and
- (4) Any other source if they are held for expenditure by or under the department of transportation or the state highways and transportation commission and if they are not required by section 226.200 to be transferred to the state highway department fund.

2. The costs and expenses withdrawn from the state treasury:

- (1) For locating, relocating, establishing, acquiring, reimbursing for, constructing, improving and maintaining state highways in the systems specified in article IV, section 30(b), of the constitution;
- (2) For acquiring materials, equipment and buildings; and
- (3) For other purposes and contingencies relating and appertaining to the construction and maintenance of said highways shall be paid from the state road fund upon warrants drawn by the state auditor, based upon bills of particulars and vouchers preapproved and certified for payment by the commissioner of administration and by the state highways and transportation commission acting through such of their employees as may be designated by them.

3. No payments or transfers shall ever be made from the state road fund except for an expenditure made:

- (1) Under the supervision and direction of the state highways and transportation commission; and
- (2) For a purpose set out in subparagraph (1), (2), (3), (4), or (5) of section 30(b), article IV, of the constitution.

4. The state highways and transportation commission shall contract with an outside organization to conduct a study to determine how much of the money contributed to the state road fund at the state level is contributed by each county of this state. The state highways and transportation commission shall report all findings of the study to the governor and the members of the general assembly."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Gaw resumed the Chair.

Representative Tudor offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, by deleting all of said amendment and inserting in lieu thereof the following:

"226.220. 1. There is hereby created and set up the "State Road Fund" which shall receive all moneys and credits from:

- (1) The sale of state road bonds;
- (2) The United States government and intended for highway purposes;
- (3) The state road bond and interest sinking fund as provided in section 226.210; and
- (4) Any other source if they are held for expenditure by or under the department of transportation or the state highways and transportation commission and if they are not required by section 226.200 to be transferred to the state highway department fund.

2. The costs and expenses withdrawn from the state treasury:

- (1) For locating, relocating, establishing, acquiring, reimbursing for, constructing, improving and maintaining state highways in the systems specified in article IV, section 30(b), of the constitution;
- (2) For acquiring materials, equipment and buildings; and
- (3) For other purposes and contingencies relating and appertaining to the construction and maintenance of said highways shall be paid from the state road fund upon warrants drawn by the state auditor, based upon bills of particulars and vouchers preapproved and certified for payment by the commissioner of administration and by the state highways

and transportation commission acting through such of their employees as may be designated by them.

3. No payments or transfers shall ever be made from the state road fund except for an expenditure made:

- (1) Under the supervision and direction of the state highways and transportation commission; and
- (2) For a purpose set out in subparagraph (1), (2), (3), (4), or (5) of section 30(b), article IV, of the constitution.

4. The state Department of Revenue shall conduct a study to determine how much of the money contributed to the state road fund at the state level is contributed by each county of this state. The state highways and transportation commission shall report all findings of the study to the governor and the members of the general assembly."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hollingsworth raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 2** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Tudor moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Hollingsworth moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Abel	Auer	Barry 100	Bartle	Bonner
Boucher 48	Boykins	Bray 84	Campbell	Carter
Chrismer	Curls	Davis 63	Days	Dolan
Dougherty	Enz	Evans	Foley	Ford
Fraser	Gambaro	George	Gibbons	Green
Gross	Gunn	Hagan-Harrell	Hanaway	Hickey
Hilgemann	Hollingsworth	Hoppe	Kennedy	Kissell
Lakin	Levin	Liese	Linton	Loudon
Luetkenhaus	May 108	Mays 50	McClelland	McKenna
McLuckie	Monaco	Murphy	Murray	O'Connor
O'Toole	Ostmann	Patek	Reid	Reynolds
Riley	Scheve	Schilling	Secrest	Selby
Shelton	Stokan	Thompson	Treadway	Troupe
Tudor	Van Zandt	Wagner	Wilson 42	

NOES: 086

Alter	Backer	Ballard	Barnett	Bartelsmeyer
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Britt	Burton	Cierpiot	Clayton
Crawford	Crump	Davis 122	Elliott	Farnen
Fitzwater	Foster	Franklin	Froelker	Gaskill
Graham 106	Graham 24	Gratz	Griesheimer	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Hosmer	Howerton	Kelly 27
King	Klindt	Koller	Kreider	Lawson
Leake	Legan	Lograsso	Long	Luetkemeyer
Marble	McBride	Merideth	Miller	Myers
Naeger	Overschmidt	Parker	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reinhart	Relford
Ridgeway	Rizzo	Robirds	Ross	Sallee
Schwab	Scott	Seigfreid	Shields	Smith

Summers
Wiggins
Mr. Speaker

Surface
Williams 121

Townley
Williams 159

Vogel
Wilson 25

Ward
Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Akin
Richardson

Champion
Skaggs

Kasten

Kelley 47

Nordwald

VACANCIES: 001

Representative Auer offered **House Amendment No. 3.**

Representative Pryor raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Levin offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 2, Section 226.133, Line 15, by inserting after the words "**the plan.**" the following:

"The State of Missouri shall not issue any bonds as provided in this section at a level that will adversely affect the state's overall bond rating."

Representative Levin moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Legan offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 2, Section 226.133, Line 7, by inserting after the word "**bonds**" the following:

"solely for road and bridge construction, preservation, and maintenance, and not for engineering and administrative costs."

On motion of Representative Legan, **House Amendment No. 4** was adopted.

Representative Patek offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 1, In the Title, Line 5 of said page, by inserting after the word "subject" the phrase ", with an emergency clause for a certain section"; and

Further amend said bill, Page 1, Section A, Lines 8 to 10 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Section 226.133, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 226.133, to read as follows:"; and

Further amend said bill, Page 2, Section 226.133, Line 8 of said page, by deleting the number "**2007**" and inserting in lieu thereof the following:

"2007; except that, the highways and transportation commission may immediately authorize issue of bonds up to five hundred million dollars for the purpose of providing funds for use in highway construction and repairs scheduled for fiscal year 2001 in the five year plan"; and

Further amend said bill, Page 2, Section 226.133, Line 10 of said page, by inserting after the number "**2007**," the phrase "**other than the five hundred million dollars authorized for immediate issuance pursuant to subsection 1 of this section**"; and

Further amend said bill, Page 2, Section 226.133, Line 24 of said page, by inserting after the word "**section**," the phrase "**other than the five hundred million dollars authorized for immediate issuance pursuant to subsection 1 of this section**"; and

Further amend said bill, Page 5, Section 226.133, Line 16 of said page, by inserting after all of said line the following:

"Section B. Because immediate action is necessary in order to obtain financing for projects contained in the five year plan and scheduled to begin in fiscal year 2001, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.

Section C. Section 226.134, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 226.134, to read as follows:"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Patek, **House Amendment No. 5** was adopted.

HCS HB 1742, with HS, as amended, pending, was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1942 - Banks and Financial Institutions

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 72, introduced by Representatives Hendrickson and Secrest, et al, relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2012, introduced by Representatives Barnett and Relford, relating to motor vehicle financial responsibility.

HB 2013, introduced by Representatives Foley and Graham (24), relating to the office of state ombudsman for mental health facility residents.

HB 2014, introduced by Representative Skaggs, relating to teacher and school retirement systems.

HB 2015, introduced by Representative Patek, relating to approval of new productive values for agricultural and horticultural property.

HB 2016, introduced by Representative Selby, relating to the regulation and certification of explosive blasters.

HB 2017, introduced by Representative Smith, relating to sexual offenders.

HB 2018, introduced by Representatives Merideth, Williams (159) and Koller, et al, relating to the Missouri airport protection act.

HB 2019, introduced by Representative Gambaro, relating to the St. Louis city circuit clerk.

HB 2020, introduced by Representatives Gunn, Hollingsworth, Hilgemann, Gambaro and Thompson, relating to Missouri works program.

HB 2021, introduced by Representatives McClelland, Scheve, Dougherty, Williams (159), Marble, Griesheimer, Sallee and Secrest, et al, relating to eligibility for public assistance.

HB 2022, introduced by Representatives Davis (122) and Holand, relating to orientation and training of school board members.

HB 2023, introduced by Representative Gibbons, relating to trespassing on a school bus.

HB 2024, introduced by Representative Kreider, relating to speed limits in school zones.

HB 2025, introduced by Representative Kreider, relating to requiring certain hours of operation for landfills.

HB 2026, introduced by Representative Gross, relating to sales tax exemptions.

HB 2027, introduced by Representatives Patek, Enz and Shields, relating to a brain injury study.

COMMITTEE REPORTS

Committee on Banks and Financial Institutions, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **HB 1780**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Consumer Protection and Housing, Chairman Schilling reporting:

Mr. Speaker: Your Committee on Consumer Protection and Housing, to which was referred **HB 1172, HB 1501, HB 1633, HB 1440, HB 1634, HB 1177** and **HB 1430**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1358**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1465**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1615**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Education - Elementary and Secondary, Chairman Fitzwater reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1154**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1361**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1074 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1186 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HBs 1215 & 1240 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1374**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1494** and **HB 1384**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1566** and **HB 1810**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Hampton is no longer a member of the Federal-State Relations and Veterans Affairs Committee.

Representative Backer has been appointed a member of the Federal-State Relations and Veterans Affairs Committee.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 616**, entitled:

An act to repeal sections 70.605, 70.661, 70.680 and 70.685, RSMo 1994, and sections 70.655 and 70.675, RSMo Supp. 1999, relating to local government employees' retirement system, and to enact in lieu thereof six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 724**, entitled:

An act to repeal section 67.1003, RSMo Supp. 1999, relating to tourism taxation, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 734**, entitled:

An act to repeal section 294.011, RSMo Supp. 1999, relating to the department of labor and industrial relations, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 810**, entitled:

An act to repeal section 208.480, RSMo Supp. 1999, relating to federal reimbursement allowance, and to enact in lieu thereof one new section relating to the same subject, with an expiration date.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Champion.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 17, 2000.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, February 17, 2000. Hearing Room 1 upon adjournment.
Executive Session.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 17, 2000, 8:00 am. Hearing Room 3.
Mark-up Dept. of Corrections. AMENDED NOTICE.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 17, 2000. Hearing Room 3 upon adjournment.
Mark-up Dept. of Social Services.

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 23, 2000, 7:30 pm. Hearing Room 6.
Possible Executive Session.

To be considered - HB 1324, HB 1436, HB 1520, HB 1551, HB 1678, HB 1865, HCR 7

CONSUMER PROTECTION

Tuesday, February 22, 2000, 8:00 pm. Hearing Room 1.
Possible Executive Session to follow.

To be considered - HB 1496, HB 1869, HB 1877, HB 1894

CORRECTIONAL AND STATE INSTITUTIONS

Thursday, February 17, 2000. Side gallery upon morning adjournment.
Executive Session.

CRITICAL ISSUES

Thursday, February 17, 2000, 8:00 am. Hearing Room 1.
To be considered - Executive Session - HB 1207, Executive Session -
HB 1323, Executive Session - HB 1386, Executive Session - HB 1932

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 3.
To be considered - HB 1255, HB 1469, HB 1553, HB 1614, HB 1702, HB 1713,
HB 1860, HB 1873

ELECTIONS

Tuesday, February 22, 2000, 8:00 pm. Hearing Room 5.
Discussion on HEC 1 and HEC 2.
To be considered - HB 1636, HB 1637, HB 1872

ENVIRONMENT AND ENERGY

Thursday, February 17, 2000, 8:00 am. Hearing Room 7.
To be considered - HB 1801, HCR 14

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 17, 2000. Senate Committee Room 1 upon morning
adjournment. Closed meeting within the meaning of Chapter 610, RSMo

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 17, 2000, 9:00 am. Hearing Room 4.
Presentation of Oversight Reports.

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 17, 2000, 9:30 am. Room 401.
To be considered - Executive Session - HB 1242,
Executive Session - HB 1591, Executive Session - HB 1685

PUBLIC HEALTH

Thursday, February 17, 2000, 9:15 am. Side gallery.
Executive Session.

SUBCOMMITTEE ON AGRICULTURE MARKETING - AGRI-BUSINESS

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 2A & 2B.

SUBCOMMITTEE ON APPROPRIATIONS - SOCIAL SERVICES & CORRECTIONS - AGING

Monday, February 21, 2000, 2:00 pm. Hearing Room 7.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, February 21, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1340, HB 1825

UTILITIES REGULATION

Thursday, February 17, 2000, 8:15 am. Hearing Room 6.

Work session immediately following.

To be considered - HB 1414, HB 1415, HJR 53

HOUSE CALENDAR

TWENTY-SIXTH DAY, THURSDAY, FEBRUARY 17, 2000

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 72

HOUSE BILLS FOR SECOND READING

HB 2012 through HB 2027

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61 - Van Zandt

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1742, HS, as amended, pending - Koller
- 2 HCS HB 1254 - Kissell
- 3 HCS HB 1644 - Hagan-Harrell
- 4 HB 1443 - Koller
- 5 HCS HB 1602 - Leake
- 6 HCS HB 1737 - Monaco
- 7 HCS HB 1143 - Scheve
- 8 HB 1615 - Hosmer
- 9 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 10 HCS HB 1566 & 1810 - Bray

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HB 1082 - Crump

HOUSE BILLS FOR PERFECTION - CONSENT

(February 14, 2000)

- 1 HB 1376 - Farnen
- 2 HB 1197 - Hosmer
- 3 HB 1292 - Auer
- 4 HB 1208 - Fitzwater
- 5 HB 1353 - Farnen
- 6 HB 1185 - Gratz
- 7 HB 1085 - Selby
- 8 HB 1396 - Farnen
- 9 HB 1097 - Hosmer
- 10 HB 1289 - Auer

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 10, (2-3-00, pg. 211) - Auer

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1074 - Relford
- 2 HB 1186 - Gratz
- 3 HS HCS HB 1215 & 1240 - Smith
- 4 HB 1452 - Foley

SENATE BILLS FOR SECOND READING

- 1 SB 616
- 2 SB 724
- 3 SB 734
- 4 SB 810

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TWENTY-SIXTH DAY, THURSDAY, FEBRUARY 17, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Lord of Life, these men and women are often bombarded with problems. They deal with issues that are vital, and know the pressure that comes with their calling.

Give them this day, Your peace. Give them this day, a joyful bounce in heart and soul. Give them this day, a calm assurance of what is right and good.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-fifth day was approved as corrected.

RESOLUTION

Representative Scheve offered House Resolution No. 295.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 296 - Representative Backer
House Resolution No. 297 - Representative Chrismer
House Resolution No. 298 - Representative Linton, et al
House Resolution No. 299 - Representative Riley
House Resolution No. 300 - Representative Akin
House Resolution No. 301 and House Resolution No. 302 - Representative Howerton
House Resolution No. 303 - Representative Myers
House Resolution No. 304 - Representative Hanaway

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 72 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2012 through **HB 2027** were read the second time.

SECOND READING OF SENATE BILLS

SB 616, SB 724, SB 734 and SB 810 were read the second time.

THIRD READING OF HOUSE BILLS

HCS HB 1074, relating to water pollution control bonds, was taken up by Representative Relford.

On motion of Representative Relford, **HCS HB 1074** was read the third time and passed by the following vote:

AYES: 153

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Smith	Stokan
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Boucher 48	Hickey	Kasten	Kelley 47	Kelly 27
Long	Nordwald	Parker	Skaggs	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

HB 1186, relating to conveyance in Cole County, was taken up by Representative Gratz.

On motion of Representative Gratz, **HB 1186** was read the third time and passed by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Blunt	Boatright	Bonner
Boykins	Bray 84	Britt	Burton	Campbell
Carter	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Smith	Stokan	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Patek

PRESENT: 000

ABSENT WITH LEAVE: 011

Berkstresser	Black	Boucher 48	Hickey	Kasten
Kelley 47	Long	Nordwald	Parker	Reynolds
Skaggs				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Campbell, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Davis (122) moved that motion lay on the table.

The latter motion prevailed.

HS HCS HBs 1215 & 1240, relating to computer crime, was taken up by Representative Smith.

On motion of Representative Smith, **HS HCS HBs 1215 & 1240** was read the third time and passed by the following vote:

AYES: 142

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boykins	Britt	Burton	Campbell
Carter	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Gross	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelly 27	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Lograsso	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Smith	Stokan
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 42
Wright	Mr. Speaker			

NOES: 008

Bray 84	Fraser	Froelker	Griesheimer	Gunn
Murphy	Schilling	Wilson 25		

PRESENT: 000

ABSENT WITH LEAVE: 012

Bartle	Boucher 48	Hickey	Kasten	Kelley 47
Kennedy	Linton	Long	Nordwald	Parker
Reinhart	Skaggs			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hagan-Harrell, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HB 1452, relating to taxation, was taken up by Representative Foley.

On motion of Representative Foley, **HB 1452** was read the third time and passed by the following vote:

AYES: 154

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boykins	Bray 84	Britt
Burton	Campbell	Carter	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Smith
Stokan	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Boucher 48	Hickey	Kasten	Kelley 47	Long
Nordwald	Parker	Skaggs		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HB 1742, with HS, as amended, pending, relating to transportation bonds, was taken up by Representative Koller.

Representative Pryor offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 1, Section A, Line 10 of said page, by inserting after all of said line the following:

"226.132. Sections 226.133 and 226.134 are intended as an initial step to address pressing needs relating to the construction and maintenance of roads and bridges in this state. The general assembly recognizes the need for a more comprehensive solution to the needs and problems of Missouri's multi-modal transportation system. Sections 226.133 and 226.134 are not intended to preclude such a comprehensive solution in future years."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pryor, **House Amendment No. 6** was adopted.

Representative Ostmann offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 1, Section A, Line 10 of said page, by inserting after all of said line the following:

"142.345. 1. There is created the "Motor Fuel Tax Fund". All revenues derived from the motor fuel tax imposed upon highway users as an incident to their use of the highways of the state shall be deposited in the state treasury to the credit of this fund.

2. The moneys deposited to the credit of the motor fuel tax fund shall be disbursed or transferred as follows:

(1) The amount of the tax collected with respect to fuel not used for propelling motor vehicles on state highways shall be transferred to the state highways and transportation department fund to be refunded by the state as provided by law;

(2) The amount of actual costs of collection, apportionment and of making refunds shall be transferred to the state highways and transportation department fund for reimbursement by appropriation, to the agencies or departments of government incurring these costs, **subject to the limitations of section 226.200, RSMo**;

(3) A percentage of the net proceeds shall be transferred to the county aid road trust fund as provided in article IV, section 30(a) of the state constitution;

(4) A percentage of the net proceeds shall be allocated to the several cities, towns and villages entitled thereto [under] **pursuant to** the provisions of article IV, section 30(a) of the state constitution;

(5) All the remaining net proceeds in excess of the allocations to counties and cities, towns and villages shall be transferred to the state highways and transportation department fund."; and

Further amend said bill, Page 3, Section 226.134, Line 3, by inserting after all of said line the following:

"226.200. 1. There is hereby created a "State Highways and Transportation Department Fund" into which shall be paid or transferred all state revenue derived from highway users as an incident to their use or right to use the highways of the state, including all state license fees and taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor vehicles and trailers, and all property taxes), and all other revenue received or held for expenditure by or under the department of transportation or the state highways and transportation commission, except:

(1) Money arising from the sale of bonds;
(2) Money received from the United States government; or
(3) Money received for some particular use or uses other than for the payment of principal and interest on outstanding state road bonds.

2. Subject to the limitations of subsections 3[,] **and 4** [and 5] of this section, from [said] **the** fund shall be paid or credited the cost:

(1) Of collection of all [said] state revenue derived from highway users as an incident to their use or right to use the highways of the state;

(2) Of maintaining the state highways and transportation commission;

(3) Of maintaining the state transportation department;

(4) Of any workers' compensation for state transportation department employees;

(5) Of the share of the transportation department in any retirement program for state employees, only as may be provided by law; and

(6) Of administering and enforcing any state motor vehicle laws or traffic regulations.

3. [For fiscal years prior to fiscal year 1993, the state highways and transportation department fund shall be reimbursed annually in an amount equal to the difference between the expenses incurred by state offices and departments for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution and the total amount appropriated from the state highways and transportation department fund for fiscal year 1987 to such state offices and departments.

4. For fiscal year 1993, the state highways and transportation department fund shall be reimbursed on or before July 1, 1994, in an amount equal to the difference between the expenses incurred by state offices and departments during fiscal year 1993 for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution and the total amount appropriated from the state highways and transportation department fund for fiscal year 1987 to such state offices and departments as adjusted under this subsection. For the purposes of calculating any reimbursement for fiscal year 1993, the total amount appropriated to such state offices and departments during fiscal year 1987 shall be increased or decreased by the percentage by which the total state revenues paid or transferred into the fund under subsection 1 of this section during fiscal year 1993 differs from the total state revenues paid or transferred into the fund during fiscal year 1992.

5.] For fiscal year [1994] **2001** and for each fiscal year thereafter, the state highways and transportation department fund shall be reimbursed on or before the first day of the second succeeding fiscal year in an amount equal to the difference between the expenses incurred by state offices and departments during such fiscal year for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution **subject to the limitations of subsection 4 of this section**, and the total amount appropriated from the state highways and transportation department fund for the preceding fiscal year to such state offices and departments as adjusted [under] **pursuant to this subsection and subsection 4 of this section**.

4. For the purposes of calculating any reimbursement [under this] **pursuant to subsection 3 of this section**, the total amount appropriated to such state offices and departments during the previous fiscal year shall be increased or decreased by the percentage by which the total state revenues paid or transferred into the fund [under] **pursuant to subsection 1 of this section during such fiscal year exceeds the total state revenues paid or transferred into the fund during the preceding fiscal year; provided that, for fiscal years after 2001, the amount appropriated to any state office or department shall not exceed the amount appropriated to such office or department in fiscal year 2001.**

[6.] **5.** The provisions of subsections 3[,] **and 4** [and 5] of this section shall not apply to appropriations from the

fund to the highways and transportation commission and the state transportation department [or to appropriations to the department of revenue for motor vehicle fuel tax refunds under chapter 142, RSMo,] or to appropriations to the department of revenue for refunds or overpayments or erroneous payments from the state highways and transportation department fund.

[7.] **6.** All interest earned upon the state highways and transportation department fund shall be deposited in and to the credit of such fund and shall be included in the calculation of total state revenues [under] **pursuant to** subsections [4 and 5] **3 and 4** of this section.

[8.] **7.** Any balance remaining in [said] **the** fund after payment of [said] **the** costs **described in this section** shall be transferred to the state road bond and interest sinking fund.

[9.] **8.** Notwithstanding the provisions of subsection 2 of this section to the contrary, any funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo, [after April 1, 1992,] shall not be used for administrative purposes or administrative expenses of the transportation department."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Koller offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 1, Section A, Line 10 of said page, by inserting after all of said line the following:

"142.345. 1. There is created the "Motor Fuel Tax Fund". All revenues derived from the motor fuel tax imposed upon highway users as an incident to their use of the highways of the state shall be deposited in the state treasury to the credit of this fund.

2. The moneys deposited to the credit of the motor fuel tax fund shall be disbursed or transferred as follows:

(1) The amount of the tax collected with respect to fuel not used for propelling motor vehicles on state highways shall be transferred to the state highways and transportation department fund to be refunded by the state as provided by law;

(2) The amount of actual costs of collection, apportionment and of making refunds shall be transferred to the state highways and transportation department fund for reimbursement by appropriation, to the agencies or departments of government incurring these costs, **subject to the limitations of section 226.200, RSMo;**

(3) A percentage of the net proceeds shall be transferred to the county aid road trust fund as provided in article IV, section 30(a) of the state constitution;

(4) A percentage of the net proceeds shall be allocated to the several cities, towns and villages entitled thereto [under] **pursuant to** the provisions of article IV, section 30(a) of the state constitution;

(5) All the remaining net proceeds in excess of the allocations to counties and cities, towns and villages shall be transferred to the state highways and transportation department fund."; and

Further amend said bill, Page 5, Section 226.134, Line 21, by inserting after all of said line the following:

"226.200. 1. There is hereby created a "State Highways and Transportation Department Fund" into which shall be paid or transferred all state revenue derived from highway users as an incident to their use or right to use the highways of the state, including all state license fees and taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor vehicles and trailers, and all property taxes), and all other revenue received or held for expenditure by or under the department of transportation or the state highways and transportation commission, except:

(1) Money arising from the sale of bonds;

(2) Money received from the United States government; or

(3) Money received for some particular use or uses other than for the payment of principal and interest on outstanding state road bonds.

2. Subject to the limitations of subsections 3[,], **and 4** [and 5] of this section, from [said] **the** fund shall be paid or credited the cost:

(1) Of collection of all [said] state revenue derived from highway users as an incident to their use or right to use the highways of the state;

(2) Of maintaining the state highways and transportation commission;

(3) Of maintaining the state transportation department;

(4) Of any workers' compensation for state transportation department employees;

(5) Of the share of the transportation department in any retirement program for state employees, only as may be provided by law; and

(6) Of administering and enforcing any state motor vehicle laws or traffic regulations.

3. [For fiscal years prior to fiscal year 1993, the state highways and transportation department fund shall be reimbursed annually in an amount equal to the difference between the expenses incurred by state offices and departments for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution and the total amount appropriated from the state highways and transportation department fund for fiscal year 1987 to such state offices and departments.

4. For fiscal year 1993, the state highways and transportation department fund shall be reimbursed on or before July 1, 1994, in an amount equal to the difference between the expenses incurred by state offices and departments during fiscal year 1993 for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution and the total amount appropriated from the state highways and transportation department fund for fiscal year 1987 to such state offices and departments as adjusted under this subsection. For the purposes of calculating any reimbursement for fiscal year 1993, the total amount appropriated to such state offices and departments during fiscal year 1987 shall be increased or decreased by the percentage by which the total state revenues paid or transferred into the fund under subsection 1 of this section during fiscal year 1993 differs from the total state revenues paid or transferred into the fund during fiscal year 1992.

5.] For fiscal year [1994] **2001** and for each fiscal year thereafter, the state highways and transportation department fund shall be reimbursed on or before the first day of the second succeeding fiscal year in an amount equal to the difference between the expenses incurred by state offices and departments during such fiscal year for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution **subject to the limitations of subsection 4 of this section**, and the total amount appropriated from the state highways and transportation department fund for the preceding fiscal year to such state offices and departments as adjusted [under] **pursuant to** this subsection **and subsection 4 of this section**.

4. For the purposes of calculating any reimbursement [under this] **pursuant to** subsection **3 of this section**, the total amount appropriated to such state offices and departments during the previous fiscal year shall be increased or decreased by the percentage by which the total state revenues paid or transferred into the fund [under] **pursuant to** subsection 1 of this section during such fiscal year exceeds the total state revenues paid or transferred into the fund during the preceding fiscal year; **provided that, for fiscal years after 2001, the amount appropriated to any state office or department shall not exceed the amount appropriated to such office or department in fiscal year 2001.**

5. (1) For each fiscal year after **2001**, the difference between the maximum amount of money which could have been appropriated pursuant to subsection 4 of this section but for the cap contained therein and the amount of money actually appropriated not to exceed fifteen million dollars per fiscal year shall, subject to plan approval pursuant to subdivision (3) of this subsection, be distributed to the state highways and transportation commission for use for public transit purposes as follows: one-third to each of the two federally designated transportation management areas in this state, to be divided equally between the two areas, and one-third to the remaining areas of the state;

(2) Any amount of the difference, as calculated pursuant to subdivision (1) of this subsection, which is in excess of fifteen million dollars for any given fiscal year shall, subject to appropriation, be placed in the "Public Transit Fund", which is hereby created in the state treasury and shall consist of all moneys appropriated thereto pursuant to this subsection. The fund shall be administered by the state treasurer. All moneys in the fund in a given fiscal year shall be used solely for public transit purposes, as provided in this subsection, in succeeding fiscal years and shall be included in the fifteen million dollar limit for each succeeding fiscal year. Notwithstanding the provisions of section 33.080, RSMo, no portion of the fund shall be transferred to the general revenue fund, and no appropriation to the fund shall lapse. The state treasurer shall invest moneys in

the fund in the same manner as other funds are invested. Interest and moneys earned on such investments shall be credited to the fund;

(3) To obtain funding for public transit purposes for a given fiscal year pursuant to subdivision (1) of this subsection, the state highways and transportation commission shall present to the general assembly a proposed public transit plan and an analysis demonstrating the feasibility and appropriateness thereof and shall request the general assembly to appropriate money in an amount not to exceed fifteen million dollars for the fiscal year as is necessary to implement the plan. To approve a public transit plan submitted by the state highways and transportation commission, the general assembly shall adopt a concurrent resolution approving such plan and shall appropriate moneys in an amount deemed necessary to implement such plan. The highways and transportation commission shall annually present to the general assembly a report regarding the implementation of any approved public transit plans;

(4) If, within sixty calendar days of the regular session immediately preceding the start of the fiscal year for which funds are sought for public transit purposes, the general assembly fails to approve a public transit plan submitted by the state highways and transportation commission, then the general assembly shall appropriate money in an amount equal to the difference calculated in subdivision (1) of this subsection to the public transit fund created in subdivision (2) of this subsection.

6. The provisions of subsections 3[,] and 4 [and 5] of this section shall not apply to appropriations from the fund to the highways and transportation commission and the state transportation department [or to appropriations to the department of revenue for motor vehicle fuel tax refunds under chapter 142, RSMo,] or to appropriations to the department of revenue for refunds or overpayments or erroneous payments from the state highways and transportation department fund.

7. All interest earned upon the state highways and transportation department fund shall be deposited in and to the credit of such fund and shall be included in the calculation of total state revenues [under] **pursuant to** subsections [4 and 5] **3 and 4** of this section.

8. Any balance remaining in [said] **the** fund after payment of [said] **the** costs **described in this section** shall be transferred to the state road bond and interest sinking fund.

9. Notwithstanding the provisions of subsection 2 of this section to the contrary, any funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo, [after April 1, 1992,] shall not be used for administrative purposes or administrative expenses of the transportation department."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shields requested a division of the question.

House Substitute Amendment No. 1
for
House Amendment No. 7

PART I

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 1, Section A, Line 10 of said page, by inserting after all of said line the following:

"142.345. 1. There is created the "Motor Fuel Tax Fund". All revenues derived from the motor fuel tax imposed upon highway users as an incident to their use of the highways of the state shall be deposited in the state treasury to the credit of this fund.

2. The moneys deposited to the credit of the motor fuel tax fund shall be disbursed or transferred as follows:

(1) The amount of the tax collected with respect to fuel not used for propelling motor vehicles on state highways shall be transferred to the state highways and transportation department fund to be refunded by the state as provided by law;

(2) The amount of actual costs of collection, apportionment and of making refunds shall be transferred to the state highways and transportation department fund for reimbursement by appropriation, to the agencies or departments of government incurring these costs, **subject to the limitations of section 226.200, RSMo;**

(3) A percentage of the net proceeds shall be transferred to the county aid road trust fund as provided in article IV, section 30(a) of the state constitution;

(4) A percentage of the net proceeds shall be allocated to the several cities, towns and villages entitled thereto [under] **pursuant to** the provisions of article IV, section 30(a) of the state constitution;

(5) All the remaining net proceeds in excess of the allocations to counties and cities, towns and villages shall be transferred to the state highways and transportation department fund."; and

Further amend said bill, Page 5, Section 226.134, Line 21, by inserting after all of said line the following:

"226.200. 1. There is hereby created a "State Highways and Transportation Department Fund" into which shall be paid or transferred all state revenue derived from highway users as an incident to their use or right to use the highways of the state, including all state license fees and taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor vehicles and trailers, and all property taxes), and all other revenue received or held for expenditure by or under the department of transportation or the state highways and transportation commission, except:

(1) Money arising from the sale of bonds;
 (2) Money received from the United States government; or
 (3) Money received for some particular use or uses other than for the payment of principal and interest on outstanding state road bonds.

2. Subject to the limitations of subsections 3[,] **and** 4 [and 5] of this section, from [said] **the** fund shall be paid or credited the cost:

(1) Of collection of all [said] state revenue derived from highway users as an incident to their use or right to use the highways of the state;
 (2) Of maintaining the state highways and transportation commission;
 (3) Of maintaining the state transportation department;
 (4) Of any workers' compensation for state transportation department employees;
 (5) Of the share of the transportation department in any retirement program for state employees, only as may be provided by law; and

(6) Of administering and enforcing any state motor vehicle laws or traffic regulations.

3. [For fiscal years prior to fiscal year 1993, the state highways and transportation department fund shall be reimbursed annually in an amount equal to the difference between the expenses incurred by state offices and departments for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution and the total amount appropriated from the state highways and transportation department fund for fiscal year 1987 to such state offices and departments.

4. For fiscal year 1993, the state highways and transportation department fund shall be reimbursed on or before July 1, 1994, in an amount equal to the difference between the expenses incurred by state offices and departments during fiscal year 1993 for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution and the total amount appropriated from the state highways and transportation department fund for fiscal year 1987 to such state offices and departments as adjusted under this subsection. For the purposes of calculating any reimbursement for fiscal year 1993, the total amount appropriated to such state offices and departments during fiscal year 1987 shall be increased or decreased by the percentage by which the total state revenues paid or transferred into the fund under subsection 1 of this section during fiscal year 1993 differs from the total state revenues paid or transferred into the fund during fiscal year 1992.

5.] For fiscal year [1994] **2001** and for each fiscal year thereafter, the state highways and transportation department fund shall be reimbursed on or before the first day of the second succeeding fiscal year in an amount equal to the difference between the expenses incurred by state offices and departments during such fiscal year for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution **subject to the limitations of subsection 4 of this section.** and the total amount appropriated from the state highways and transportation department fund for the preceding fiscal year to such state offices and departments as adjusted [under] **pursuant to** this subsection **and subsection 4 of this section.**

4. For the purposes of calculating any reimbursement [under this] **pursuant to** subsection **3 of this section**, the total amount appropriated to such state offices and departments during the previous fiscal year shall be increased or decreased by the percentage by which the total state revenues paid or transferred into the fund [under] **pursuant to**

subsection 1 of this section during such fiscal year exceeds the total state revenues paid or transferred into the fund during the preceding fiscal year; **provided that, for fiscal years after 2001, the amount appropriated to any state office or department shall not exceed the amount appropriated to such office or department in fiscal year 2001.**

On motion of Representative Koller, **Part I of House Substitute Amendment No. 1 for House Amendment No. 7** was adopted by the following vote:

AYES: 142

Akin	Alter	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boykins
Britt	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Smith	Stokan	Summers	Thompson	Townley
Treadway	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Auer	Bray 84	Carter
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PRESENT: 000

ABSENT WITH LEAVE: 017

Abel	Barry 100	Boucher 48	Ford	Hickey
Howerton	Kasten	Kelley 47	Long	Nordwald
Parker	Pouche 30	Richardson	Skaggs	Surface
Troupe	Williams 121			

VACANCIES: 001

*House Substitute Amendment No. 1
for
House Amendment No. 7*

PART II

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 1, Section A, Line 10 of said page, by inserting after all of said line the following:

5. (1) For each fiscal year after 2001, the difference between the maximum amount of money which could have been appropriated pursuant to subsection 4 of this section but for the cap contained therein and the amount of money actually appropriated not to exceed fifteen million dollars per fiscal year shall, subject to plan approval pursuant to subdivision (3) of this subsection, be distributed to the state highways and transportation commission for use for public transit purposes as follows: one-third to each of the two federally designated transportation management areas in this state, to be divided equally between the two areas, and one-third to the remaining areas of the state;

(2) Any amount of the difference, as calculated pursuant to subdivision (1) of this subsection, which is in excess of fifteen million dollars for any given fiscal year shall, subject to appropriation, be placed in the "Public Transit Fund", which is hereby created in the state treasury and shall consist of all moneys appropriated thereto pursuant to this subsection. The fund shall be administered by the state treasurer. All moneys in the fund in a given fiscal year shall be used solely for public transit purposes, as provided in this subsection, in succeeding fiscal years and shall be included in the fifteen million dollar limit for each succeeding fiscal year. Notwithstanding the provisions of section 33.080, RSMo, no portion of the fund shall be transferred to the general revenue fund, and no appropriation to the fund shall lapse. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Interest and moneys earned on such investments shall be credited to the fund;

(3) To obtain funding for public transit purposes for a given fiscal year pursuant to subdivision (1) of this subsection, the state highways and transportation commission shall present to the general assembly a proposed public transit plan and an analysis demonstrating the feasibility and appropriateness thereof and shall request the general assembly to appropriate money in an amount not to exceed fifteen million dollars for the fiscal year as is necessary to implement the plan. To approve a public transit plan submitted by the state highways and transportation commission, the general assembly shall adopt a concurrent resolution approving such plan and shall appropriate moneys in an amount deemed necessary to implement such plan. The highways and transportation commission shall annually present to the general assembly a report regarding the implementation of any approved public transit plans;

(4) If, within sixty calendar days of the regular session immediately preceding the start of the fiscal year for which funds are sought for public transit purposes, the general assembly fails to approve a public transit plan submitted by the state highways and transportation commission, then the general assembly shall appropriate money in an amount equal to the difference calculated in subdivision (1) of this subsection to the public transit fund created in subdivision (2) of this subsection.

6. The provisions of subsections 3[,], and 4 [and 5] of this section shall not apply to appropriations from the fund to the highways and transportation commission and the state transportation department [or to appropriations to the department of revenue for motor vehicle fuel tax refunds under chapter 142, RSMo,] or to appropriations to the department of revenue for refunds or overpayments or erroneous payments from the state highways and transportation department fund.

7. All interest earned upon the state highways and transportation department fund shall be deposited in and to the credit of such fund and shall be included in the calculation of total state revenues [under] pursuant to subsections [4 and 5] 3 and 4 of this section.

8. Any balance remaining in [said] the fund after payment of [said] the costs described in this section shall be transferred to the state road bond and interest sinking fund.

9. Notwithstanding the provisions of subsection 2 of this section to the contrary, any funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo, [after April 1, 1992,] shall not be used for administrative purposes or administrative expenses of the transportation department."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Koller moved that **Part II of House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Pryor offered **House Amendment No. 8**.

Representative Auer raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Koller offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 1742, Page 1, Section A, Line 10, by inserting immediately following the text of Part I of House Substitute Amendment No. 1 for House Amendment No. 7 the following:

“6. The provisions of subsection 3 [,] **and** 4 [and 5] of this section shall not apply to appropriations from the fund to the highways and transportation commission and the state transportation department [or to appropriations to the department of revenue for motor vehicle fuel tax refunds under chapter 142, RSMo,] or to appropriations to the department of revenue for refunds or overpayments or erroneous payments from the state highways and transportation department fund.

7. All interest earned upon the state highways and transportation department fund shall be deposited in and to the credit of such fund and shall be included in the calculation of total state revenues [under] **pursuant to** subsections [4 and 5] **3 and 4** of this section.

8. Any balance remaining in [said] **the** fund after payment of [said] **the** costs **described in this section** shall be transferred to the state road bond and interest sinking fund.

9. Notwithstanding the provisions of subsection 2 of this section to the contrary, any funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo, [after April 1, 1992,] shall not be used for administrative purposes or administrative expenses of the transportation department.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Patek raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Koller, **House Amendment No. 8** was adopted.

On motion of Representative Koller, **HS HCS HB 1742, as amended**, was adopted.

On motion of Representative Koller, **HS HCS HB 1742, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 33 - Miscellaneous Bills and Resolutions

HR 91 - Miscellaneous Bills and Resolutions

HR 169 - Miscellaneous Bills and Resolutions

HR 172 - Miscellaneous Bills and Resolutions

HR 173 - Miscellaneous Bills and Resolutions
HR 199 - Miscellaneous Bills and Resolutions
HR 200 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 15 - Fiscal Review
HCR 16 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 65 - Missouri Tobacco Settlement
HJR 66 - Transportation
HJR 67 - Transportation
HJR 68 - Transportation
HJR 69 - State Parks, Natural Resources and Mining
HJR 70 - Missouri Tobacco Settlement
HJR 71 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1811 - Agriculture
HB 1901 - Ways and Means
HB 1902 - Commerce
HB 1904 - Civil and Administrative Law
HB 1905 - Ways and Means
HB 1906 - Criminal Law
HB 1907 - Civil and Administrative Law
HB 1908 - Federal-State Relations and Veterans Affairs
HB 1909 - Labor
HB 1910 - Social Services, Medicaid and the Elderly
HB 1911 - Public Health
HB 1912 - Social Services, Medicaid and the Elderly
HB 1913 - Environment and Energy
HB 1914 - Retirement
HB 1915 - Municipal Corporations
HB 1916 - Education - Higher
HB 1917 - Correctional and State Institutions
HB 1918 - Correctional and State Institutions

- HB 1919** - Children, Youth and Families
- HB 1920** - Criminal Law
- HB 1921** - Ways and Means
- HB 1922** - Transportation
- HB 1923** - Federal-State Relations and Veterans Affairs
- HB 1924** - State Parks, Natural Resources and Mining
- HB 1925** - Commerce
- HB 1926** - Agriculture
- HB 1927** - Environment and Energy
- HB 1928** - Correctional and State Institutions
- HB 1929** - Civil and Administrative Law
- HB 1930** - Local Government and Related Matters
- HB 1931** - Local Government and Related Matters
- HB 1933** - Ways and Means
- HB 1934** - Critical Issues
- HB 1936** - Elections
- HB 1937** - Judiciary
- HB 1938** - Ways and Means
- HB 1939** - Local Government and Related Matters
- HB 1940** - Critical Issues
- HB 1941** - Governmental Organization and Review
- HB 1943** - Children, Youth and Families
- HB 1944** - Motor Vehicle and Traffic Regulations
- HB 1945** - Commerce
- HB 1946** - Children, Youth and Families
- HB 1947** - Public Health
- HB 1948** - Transportation
- HB 1949** - Public Safety and Law Enforcement
- HB 1950** - Ways and Means
- HB 1951** - Transportation
- HB 1952** - Civil and Administrative Law
- HB 1953** - Motor Vehicle and Traffic Regulations
- HB 1954** - Critical Issues
- HB 1955** - Retirement
- HB 1956** - Ways and Means
- HB 1957** - Education - Elementary and Secondary
- HB 1958** - Education - Elementary and Secondary
- HB 1959** - Criminal Law
- HB 1960** - Ways and Means
- HB 1962** - Children, Youth and Families
- HB 1963** - Ways and Means
- HB 1964** - Labor
- HB 1965** - Ways and Means
- HB 1966** - Criminal Law
- HB 1967** - Local Government and Related Matters

HB 1968 - Judiciary
HB 1969 - Motor Vehicle and Traffic Regulations
HB 1970 - Transportation
HB 1971 - Ways and Means
HB 1972 - Transportation
HB 1973 - Criminal Law
HB 1974 - Ways and Means
HB 1975 - Local Government and Related Matters
HB 1976 - Social Services, Medicaid and the Elderly
HB 1977 - Missouri Tobacco Settlement
HB 1978 - Judiciary
HB 1979 - Local Government and Related Matters
HB 1980 - Education - Higher
HB 1981 - Civil and Administrative Law
HB 1982 - Critical Issues
HB 1983 - Ways and Means
HB 1984 - Motor Vehicle and Traffic Regulations
HB 1985 - Civil and Administrative Law
HB 1986 - Elections
HB 1987 - Public Safety and Law Enforcement
HB 1988 - Labor
HB 1989 - Transportation
HB 1990 - Local Government and Related Matters
HB 1991 - Public Safety and Law Enforcement
HB 1992 - Ways and Means
HB 1993 - Education - Elementary and Secondary
HB 1994 - Judiciary
HB 1995 - Criminal Law
HB 1996 - Retirement
HB 1997 - Civil and Administrative Law

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1564 - Miscellaneous Bills and Resolutions

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 1677**, **HB 1675** and **HB 1676**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1472**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1481**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1509**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1544**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1546**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 1706**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1604**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **HB 1386** and **HB 1086**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Critical Issues, to which was referred **HB 1932**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1280**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1238**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1242**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1591**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1685**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 17

WHEREAS, Derrick Thomas' immense talent on the football field was matched by his caring and generous spirit in the Kansas City community; and

WHEREAS, in his eleven year career as a Kansas City Chief, Derrick Thomas established himself as one of the NFL's most dominant defensive players and feared pass rushers, and firmly etched his place in history as one of the Kansas City Chiefs best linebackers; and

WHEREAS, Derrick Thomas made nine Pro Bowl appearances, the most of any player in the illustrious history of the Kansas City Chiefs; established team career records for sacks, safeties and fumble recoveries during his career; and his twenty sacks in 1990 set a Chiefs single-season mark, with his seven-sack game in 1990 setting an NFL single-game record; and

WHEREAS, Derrick Thomas was named the Chiefs Most Valuable Player following the 1991 and 1994 seasons, won the 1994 Genuine Heroes Award and received the league's two most prestigious humanitarian awards: the 1993 NFL Man of the Year and the 1995 Byron "Whizzer" White Humanitarian Award for service to team, community and country; and

WHEREAS, as the son of an Air Force Captain, Derrick Thomas was five years old when his father's plane was shot down while it was returning from a mission in Vietnam on December 17, 1972. With his father declared legally dead in 1980 as a Vietnam MIA, Derrick Thomas had a special relationship with veterans. He delivered the keynote address at the Vietnam Veterans Memorial during the Memorial Day ceremony in 1993 and volunteered regularly at Kansas City's veterans' hospital; and

WHEREAS, the notable achievements of Derrick Thomas off the football field were equally remarkable to his achievements on the football field. Derrick started an inner-city reading program with his "Third and Long Foundation" ten years ago and as its founder read to children at local libraries each home Saturday during football season; he was the Kansas City Chief's United Way spokesperson; and he was designated by former President George Bush as the "832nd point of light" in the President's Thousand Points of Light campaign:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, do hereby instruct the State Highways and Transportation Commission and the Department of Transportation to take action immediately to name a section of Interstate 70 from Blue Ridge Cut Off at the George Brett Bridge on the west to Highway 291 on the east, the "Derrick Thomas Memorial Highway".

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the State Highways and Transportation Commission and the director of the Department of Transportation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2028, introduced by Representatives Reinhart, Ridgeway and Pouche, et al, relating to the retention of family court commissioners and judges.

HB 2029, introduced by Representative Wright, to authorize the conveyance of certain properties by Southwest Missouri State University.

HB 2030, introduced by Representative Long, relating to the licensing of electricians and plumbers by certain municipalities.

HB 2031, introduced by Representative Long, relating to certain expenditures of public funds.

HB 2032, introduced by Representative Monaco, relating to physician assistants.

HB 2033, introduced by Representative Hoppe, for the sole purpose of regulating persons and entities providing ambulance services.

HB 2034, introduced by Representative Barnett, relating to notice of motor vehicle registration.

HB 2035, introduced by Representatives Kennedy, Barry, Chrismer, Luetkenhaus, Burton, Murray, Cierpiot, Davis (63), Selby and Reid, et al, relating to tax relief for certain charitable contributions.

HB 2036, introduced by Representatives Foley and Rizzo, relating to tax credits for investments in Missouri small businesses.

HB 2037, introduced by Representatives Barnett, Koller, Klindt, Gaw, Hosmer, Hegeman and Summers, et al, relating to appropriations to state departments.

HB 2038, introduced by Representatives Bartle and Kelley (47), relating to the school building revolving fund.

HB 2039, introduced by Representative Wiggins, relating to weights and measures.

HB 2040, introduced by Representative Berkstresser, relating to reimbursement of expenses in condemnation and inverse condemnation proceedings.

HB 2041, introduced by Representative Loudon, relating to the construction and interpretation of employment security law.

HB 2042, introduced by Representatives Gaskill, Robirds and Merideth, et al, relating to beverage container control.

HB 2043, introduced by Representative Chrismer, relating to pharmacies and pharmacists.

HB 2044, introduced by Representatives Gaw, Farnen, Ridgeway and Reinhart, relating to a spinal cord injury grant program.

HB 2045, introduced by Representative Kennedy, relating to the state lottery.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Scheve is no longer a member of the Joint Committee on Gaming and Wagering.

Representative Murray is no longer a member of the Governmental Organization and Review Committee.

Representative Boykins is no longer a member of the Criminal Law Committee.

Representative Murray has been appointed House Chair of the Joint Committee on Gaming and Wagering.

Representative Barry has been appointed Chair of the Governmental Organization and Review Committee.

The following member's presence was noted: Parker.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, February 21, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-fifth Day, Wednesday, February 16, 2000, pages 304 and 305, roll call, by showing Representative Akin voting "aye" rather than "absent with leave".

Pages 304 and 305, roll call, by showing Representative Richardson voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 22, 2000. Hearing Room 3 upon adjournment.
Mark-up Dept. of Social Services, Dept. of Corrections.

BANKS AND FINANCIAL INSTITUTIONS

Tuesday, February 22, 2000, 9:30 am. Side gallery.
To be considered - HB 1942

BUDGET

Monday, February 21, 2000, 1:00 pm. Hearing Room 3.
To be considered - HB 1101, HB 1104, HB 1105, HB 1112

BUDGET

Tuesday, February 22, 2000, 8:30 am. Hearing Room 3.
To be considered - HB 1105, HB 1106, HB 1112

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 23, 2000, 7:30 pm. Hearing Room 6.
Possible Executive Session.
To be considered - HB 1324, HB 1436, HB 1520, HB 1551, HB 1678, HB 1865, HCR 7

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 23, 2000, 3:00 pm. Hearing Room 1.
To be considered - HB 1671, HB 1718, HB 1798, HB 1858, HB 1897, Executive Session - HB 1153, Executive Session - HB 1502, Executive Session - HB 1543, Executive Session - HB 1703, Executive Session - HB 1770

COMMERCE

Monday, February 21, 2000. Side gallery upon evening adjournment.
To be considered - Executive Session - HB 1547

CONSUMER PROTECTION

Tuesday, February 22, 2000, 8:00 pm. Hearing Room 1.
Possible Executive Session to follow.
To be considered - HB 1496, HB 1869, HB 1877, HB 1894

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, February 22, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1800, HB 1814

CRITICAL ISSUES

Monday, February 21, 2000, 8:00 pm. Hearing Room 3.

To be considered - HB 1459, HB 1649, HB 1747, HB 1835

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 3.

To be considered - HB 1255, HB 1469, HB 1553, HB 1614, HB 1702, HB 1713, HB 1860, HB 1873

EDUCATION - HIGHER

Monday, February 21, 2000. Side gallery upon adjournment.

To be considered - Executive Session - HB 1475, Executive Session - HB 1578

ELECTIONS

Tuesday, February 22, 2000, 8:00 pm. Hearing Room 5.

Discussion on HEC 1 and HEC 2.

To be considered - HB 1636, HB 1637, HB 1872

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, February 21, 2000, 8:00 pm. Hearing Room 1.

Executive Session may follow.

To be considered - HB 1908, HB 1923

FISCAL REVIEW

Monday, February 21, 2000, 2:30 pm. Hearing Room 5.

Executive Session.

To be considered - HB 1510, HJR 64

INSURANCE

Tuesday, February 22, 2000, 8:00 am. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1485, HB 1596, HB 1802

INTERIM JOINT COMMITTEE ON CAPITOL SPACE

Monday, February 21, 2000, 1:30 pm. Senator DePasco's Office - Room 321.

Issues regarding Capitol Space. CORRECTED NOTICE.

JUDICIARY

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1477, HB 1507, HB 1548, HB 1688, HB 1809

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1250, HB 1251, HB 1347, HB 1427, HB 1715, HB 1767, HB 1783

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, February 22, 2000, 8:30 am. Hearing Room 6.

Executive Session will follow.

To be considered - HB 1665, HB 1696, HB 1889

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 22, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow.

To be considered - HB 1817, HB 1871

SUBCOMMITTEE ON AGRICULTURE MARKETING - AGRI-BUSINESS

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 2A & 2B.

SUBCOMMITTEE ON APPROPRIATIONS - SOCIAL SERVICES & CORRECTIONS - AGING

Monday, February 21, 2000, 2:00 pm. Hearing Room 7.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, February 21, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1340, HB 1825

WAYS AND MEANS

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 7.

Executive Session possible.

To be considered - HB 1069, HB 1159, HB 1167, HB 1209, HB 1272, HB 1273, HB 1274, HB 1304, HB 1445, HB 1735

HOUSE CALENDAR

TWENTY-SEVENTH DAY, MONDAY, FEBRUARY 21, 2000

HOUSE BILLS FOR SECOND READING

HB 2028 through HB 2045

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61 - Van Zandt

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1254 - Kissell
- 2 HCS HB 1644 - Hagan-Harrell
- 3 HB 1443 - Koller

- 4 HCS HB 1602 - Leake
- 5 HCS HB 1737 - Monaco
- 6 HCS HB 1143 - Scheve
- 7 HB 1615 - Hosmer
- 8 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 9 HCS HB 1566 & 1810 - Bray

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HB 1082 - Crump

HOUSE BILLS FOR PERFECTION - CONSENT

(February 14, 2000)

- 1 HB 1376 - Farnen
- 2 HB 1197 - Hosmer
- 3 HB 1292 - Auer
- 4 HB 1208 - Fitzwater
- 5 HB 1353 - Farnen
- 6 HB 1185 - Gratz
- 7 HB 1085 - Selby
- 8 HB 1396 - Farnen
- 9 HB 1097 - Hosmer
- 10 HB 1289 - Auer

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 10, (2-3-00, pg. 211) - Auer

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TWENTY-SEVENTH DAY, MONDAY, FEBRUARY 21, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Almighty Father, You are the glue which binds our world together into meaning. You help turn what might be absurdity into grace. Help these men and women today to continue to hope in and work for meaning and purpose in all their many affairs in conference, in meeting, in research, in consultation with aides and constituents. Help the myriad goings-on of this day come together into pattern and purpose.

For in the end, Lord, either with knowledge and will or not, You are the end and purpose of all we think, will, say, and do. May understanding that comfort, not anger us, with serenity, in the multiform activities of this day. You are God, the ultimate ground of all time that is and will be, this moment, this day, forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Megan Green and Patrick Green.

The Journal of the twenty-sixth day was approved as corrected by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Gambaro	Gaskill	George	Gibbons	Graham 106
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton

Shields	Skaggs	Smith	Stokan	Summers
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 003

Hanaway	Lograsso	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 009

Carter	Froelker	Graham 24	Hoppe	Kasten
Lakin	Mays 50	Ridgeway	Surface	

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 305	-	Representative Scott
House Resolution No. 306	-	Representatives Scott and Koller
House Resolution No. 307	-	Representative Wiggins
House Resolution No. 308	-	Representative Holand
House Resolution No. 309	-	Representative Boucher
House Resolution No. 310	-	Representative O'Toole
House Resolution No. 311	-	Representative Townley
House Resolution No. 312	-	Representative Bartelsmeyer
House Resolution No. 313	-	Representative Berkowitz

SECOND READING OF HOUSE BILLS

HB 2028 through **HB 2045** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1742**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HB 1742 - Fiscal Review (Fiscal Note)

PERFECTION OF HOUSE BILLS

HCS HB 1254, relating to bail bondsmen and private investigators, was taken up by Representative Kissell.

Representative Kissell offered **HS HCS HB 1254**.

Representative Britt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1254, Page 9, Section 374.750, Line 12 by removing said open parentheses at the beginning of said line; and

Further amend House Substitute for House Committee Substitute for House Bill No. 1254, Page 9, Section 374.750, Line 21, by removing said closed parentheses at the end of said line; and

Further amend House Substitute for House Committee Substitute for House Bill No. 1254, Page 18, Section 374.783, Line 8, by inserting at the end of said line the following:

“5. The department may refuse to issue or renew any license required pursuant to sections 374.782 to 374.789 for any one or any combination of causes stated in section 374.787. The department shall notify the applicant in the writing of the reasons for refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.”; and

Further amend said title and enacting clause accordingly.

On motion of Representative Britt, **House Amendment No. 1** was adopted.

Representative Monaco offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1254, Page 7, Section 374.704, Line 3, by deleting the word “one” and inserting thereof the word “three”; and

Further amend House Substitute for House Committee Substitute for House Bill No. 1254, page 20, line 3, by deleting the word “one” and inserting thereof the word “three”.

On motion of Representative Monaco, **House Amendment No. 2** was adopted.

Representative Elliott offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1254, Page 7, Section 374.715, Line 24, by placing a period (.) after the word Missouri; and

Further amend the bill by placing a “[“ before the word “if” on Line 24, and a “]” after the word Missouri on Page 8, Line 4; and

Further amend the bill on Page 8, Section 374.715, Lines 8 through 10, by deleting all of said lines.

On motion of Representative Elliott, **House Amendment No. 3** was adopted.

Representative Richardson offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1254, Page 32, Section 650.360, Line 1 of said page, by deleting the words "**for existing persons**" and inserting in lieu thereof the words "**and issue a license to existing persons and agencies**"; and

Further amend said bill, Page 32, Section 650.360, Line 2 of said page, by deleting the words "**all other**" and inserting in lieu thereof the word "**the**"; and

Further amend said bill, Page 32, Section 650.360, Line 3 of said page, by inserting immediately after the word "**requirements**" the following: "**of subsection 3 of this section**"; and

Further amend said bill, Page 32, Section 650.360, Line 21 of said page, by deleting all of said line and renumber the remaining subdivisions accordingly; and

Further amend said bill, Page 40, Section 650.376, Line 1 of said page, by deleting all of said line and inserting in lieu thereof the following: "**650.362.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 4** was adopted.

On motion of Representative Kissell, **HS HCS HB 1254, as amended**, was adopted.

On motion of Representative Kissell, **HS HCS HB 1254, as amended**, was ordered perfected and printed.

HCS HB 1644, relating to public school retirement system, was taken up by Representative Hagan-Harrell.

Representative Griesheimer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1644, Page 1, Section A, Line 3, by inserting after all of said line the following:

"169.050. 1. On and after the effective date of sections 169.010 to 169.140, all employees as defined in sections 169.010 to 169.141 of districts included in the retirement system thereby created shall be members of the system by virtue of their employment, except as provided by section 104.342, RSMo. Individuals who qualify as independent contractors under the common law and are treated as such by their employer shall not be considered employees for purposes of membership in or contributions to the retirement system.

2. Any person who becomes a member before the end of the school year next following the date on which the system becomes operative may claim credit for service rendered as an employee in Missouri prior to such operative date, or for service rendered in the armed forces of the United States during a period of war, the same as if the person were

a teacher, provided the person was a teacher in Missouri at the time the person was inducted, by filing with the board of trustees, within such time as the board may specify, a complete and detailed record of the service for which credit is claimed, together with such supporting evidence as the board may require for verification of the record. To the extent that the board finds the record correct, it shall credit the claimant with prior service and shall notify the claimant of its decision, but the amount of such credit shall not exceed thirty years.

3. No prior service credit shall be granted to any person who becomes a member after the first year of the system's operation, except as provided in subsection 5 of this section unless that person's failure to become a member before or during that year was due either to service in the armed forces of the United States or to attendance at a recognized educational institution for professional improvement; provided, that the board of trustees may grant prior service credit to a teacher who taught prior to August 1, 1945, if the teacher returns to teaching before July 1, 1950, and if such teacher teaches in the public schools of Missouri not less than seven years after returning before retirement, or the board of trustees may grant prior service credit to a teacher who taught prior to August 1, 1945, if the teacher returns to teaching and teaches at least one-half of the number of years between July 1, 1946, and age sixty but not less than seven years after returning before retirement, except that a member who will have thirty-five or more years of teaching service in Missouri at retirement shall be required to teach not less than three years after returning and before retirement. A person serving in the armed forces of the United States shall have the same right to prior service credit as one who became a member before the end of the first year of the system's operation, if the person becomes a member within one year of the date of the person's discharge from such service or within one year of such date plus time spent as a student in a standard college or university in further preparation for service as a public school employee. A person attending a recognized educational institution for the person's professional improvement shall have the same right to prior service credit as one who became a member before the end of the first year of the system's operation, if the person becomes a member within three years following the date on which the system became operative, and within one year of the date on which the person's attendance at such institution ceased.

4. Membership shall be terminated by failure of a member to earn any membership credit as a public school employee under this system for five consecutive school years, by death, withdrawal of contributions, or retirement.

5. If a member withdraws or is refunded the member's contributions, the member shall thereby forfeit any creditable service the member may have; provided, however, if such person again becomes a member of the system, the person may elect to reinstate the creditable service forfeited at times of previous withdrawals or refunds. The reinstatement shall be effected by the member's paying to the retirement system with interest the total amount of accumulated contributions withdrawn by the member or refunded to the member with respect to the service being reinstated. A member may reinstate less than the total service previously forfeited, in accordance with rules promulgated by the board of trustees. The payment may be made over a period not longer than five years or the length of service to be reinstated whichever is longer, beginning from the date of election, or prior to retirement, whichever is earlier, and with interest on the unpaid balance; provided, however, that if a member is retired on disability before completing such payments, the balance due with interest may be deducted from the member's disability retirement allowance.

6. Any person who elected to purchase creditable service pursuant to section 169.055, 169.056 or 169.057 and failed to complete payment within the time allowed may again elect to purchase creditable service pursuant to those provisions, if the election is made before July 1, 1998. The election may include a purchase of creditable service for the same period for which the earlier election was made.

7. Any person who would be entitled to elect to purchase creditable service pursuant to section 169.055 for unpaid maternity or paternity leave except for the fact that the person returned to employment in a position covered by the retirement system more than five years after the end of the leave period may elect to purchase such creditable service if the election is made before July 1, 1998.

8. Any person who would be entitled to purchase creditable service pursuant to subsection 1 of section 169.055 except for the fact that the application was made on or after June 19, 1997, may elect to purchase such creditable service if the election is made before July 1, 1998.

9. Notwithstanding any provisions of this chapter to the contrary, any administrator who had been a member of the system and lost eligibility as a result of the discovery that the administrator was not the holder of a current valid Missouri certificate who subsequently obtained a Missouri certificate shall be reinstated as a member and permitted to retain all benefits accrued pursuant to RSMo. 169.010 to 169.141." ; and

Further amend the title and enacting clause accordingly.

On motion of Representative Griesheimer, **House Amendment No. 1** was adopted.

Representative Parker offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1644, Page 11, Section 169.075, Line 86, by inserting after said line the following:

“9. Commencing with January 1, 2001, the board of trustees shall increase the amount of any survivor benefits payable pursuant to this section by an amount equal to the cost of living adjustment as provided for retirement allowances of retired members or beneficiaries pursuant to subsection 12 of section 169.070.”; and

Further amend said title, enacting clause and intersectional references accordingly and renumber subsequent subsections accordingly.

On motion of Representative Parker, **House Amendment No. 2** was adopted.

Representative Patek offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1644, Page 10, Section 169.075, Line 23, by adding at the end of the line the following:

“Beginning August 28, 2000, a surviving spouse who otherwise meets the requirements of this subsection but who remarried prior to August 28, 1995, shall be entitled, upon an election pursuant to subsection 1 of this section, to any remaining benefits that would otherwise have been received had the surviving spouse not remarried before the change in law permitting remarried surviving spouses to continue receiving benefits. Such surviving spouses may, upon application, become special consultants whose benefit will be to receive the remaining benefits described above. In no event shall any retroactive benefits be paid.”

Representative Monaco raised a point of order that **House Amendment No. 3** is dilatory.

The Chair ruled the point of order not well taken.

Representative Patek moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Clayton offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1644, Page 9, Section 169.070, Line 287, by adding after all of said line the following:

“23. Notwithstanding any other provision of law to the contrary, any person retired prior to August 28, 1995, who is receiving a reduced retirement allowance pursuant to option 1 or 2 of subsection 3 of this section, as such option existed prior to August 28, 1995, and whose beneficiary nominated to receive continued retirement allowance payments pursuant to the elected option dies or has died, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response to such requests. Beginning September 1, 2000, as compensation for such service, upon application to the board of trustees have his or her retirement allowance increased to the amount he or she would have been receiving had the option not been elected.”

Representative Clayton moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Marble offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1644, Page 12, Section 169.075, Line 88, by adding after all of said line the following:

“169.560. Any person retired and currently receiving a retirement allowance pursuant to sections 169.010 to 169.141, other than for disability, may be employed in any capacity in a district included in the retirement system created by those sections on either a part-time or temporary-substitute basis not to exceed a total of five hundred fifty hours in any one school year, and through such employment may earn up to fifty percent of the annual compensation payable under the employing district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance. If the employing school district does not utilize a salary schedule, or if the position in question is not subject to the employing district's salary schedule, a retiree employed in accordance with the provisions of this section may earn up to fifty percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the annual compensation payable for the position in the employing school district that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the fifty-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the nonteacher school employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment. If such a person is employed in [any] **a teaching** capacity by such a district on a regular, full-time basis, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed and shall contribute to the retirement system.”; and

Further amend the title and enacting clause accordingly.

Representative Bennett offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1644, Page 12, Section 169.075, Line 88, by adding after all of said line the following:

"169.560. **1.** Any person retired and currently receiving a retirement allowance pursuant to sections 169.010 to 169.141, other than for disability, may be employed in any capacity in a district included in the retirement system created by those sections on either a part-time or temporary-substitute basis not to exceed a total of five hundred fifty hours in any one school year, and through such employment may earn up to fifty percent of the annual compensation payable under the employing district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance. If the employing school district does not utilize a salary schedule, or if the position in question is not subject to the employing district's salary schedule, a retiree employed in accordance with the provisions of this section may earn up to fifty percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the annual compensation payable for the position in the employing school district that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the fifty-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the nonteacher school employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment. If such a person is employed in [any] **a teaching** capacity by such a district on a regular, full-time basis, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed and shall contribute to the retirement system.

2. Notwithstanding the provisions of subsection 1 of this section, retired certificated personnel with a certificate in special education may be reemployed on a part-time or temporary substitute basis for a total of 825 hours per year."; and

Further amend the title and enacting clause accordingly.

Representative Bennett moved that **House Substitute Amendment No. 1 for House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Marble moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

On motion of Representative Hagan-Harrell, **HCS HB 1644, as amended**, was adopted.

On motion of Representative Hagan-Harrell, **HCS HB 1644, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1281 - Consumer Protection and Housing

HB 1961 - State Parks, Natural Resources and Mining

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Williams (159) reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1683**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 1344**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Consumer Protection and Housing, Chairman Schilling reporting:

Mr. Speaker: Your Committee on Consumer Protection and Housing, to which was referred **HB 1434**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education - Elementary and Secondary, Chairman Fitzwater reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1073**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1875**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 18, introduced by Representative Koller, urging Congress and the United States Secretary of Transportation to allow persons with a valid driver's license to operate a commercial vehicle without a commercial driver's license for charitable and religious purposes.

HCR 19, introduced by Representative Myers, urging Congress to take certain actions regarding agricultural consolidation.

HCR 20, introduced by Representative Wright, urging Organization Petroleum Exporting Countries (OPEC) to increase crude oil production.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2046, introduced by Representative Dougherty, relating to health and welfare.

HB 2047, introduced by Representative Treadway, relating to nurses.

HB 2048, introduced by Representative Patek, relating to dentistry students at certain campuses of the University of Missouri.

HB 2049, introduced by Representatives Relford, Seigfreid, Davis (122) and Reynolds, relating to embalmers and funeral directors.

HB 2050, introduced by Representative Pouche, relating to vital statistics.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 537**, entitled:

An act relating to law enforcement districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 540**, entitled:

An act to repeal section 262.260, RSMo Supp. 1999, relating to the state fair, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 722**, entitled:

An act to repeal section 452.400, RSMo Supp. 1999, relating to visitation rights, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 769**, entitled:

An act to repeal section 84.610, RSMo 1994, relating to the Kansas City police department, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 774**, entitled:

An act to amend chapter 478, RSMo, by adding thereto one new section relating to drug courts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 779**, entitled:

An act to repeal sections 407.850 and 407.870, RSMo 1994, relating to farm machinery inventory repurchase, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 856**, entitled:

An act to repeal section 198.530, RSMo Supp. 1999, relating to long-term care facilities, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

LETTER OF OBJECTION

February 21, 2000

Anne Walker, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Ms. Walker:

We, the undersigned, respectfully request **HB 1197** be removed from the Consent Calendar pursuant to House Rule 48 (b). We believe this bill is of a controversial nature.

/s/ Michael R. Gibbons Dist. 94
/s/ Jewell Patek Dist. 7
/s/ Don Lograsso Dist. 54

/s/ Charles Q. Troupe
/s/ Russell Gunn

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated pursuant to Rule 48:

HB 1197 - Rules, Joint Rules and Bills Perfected and Printed

WITHDRAWAL OF HOUSE BILLS

February 17, 2000

The Honorable Steve Gaw
Speaker of the House
State Capitol, Room 308
Jefferson City, Missouri 65101

Dear Mr. Speaker:

Because of the recent letter from Governor Carnahan to Ms. Carol Browner, Administrator of the EPA, I respectfully request that **HCR 14** be withdrawn.

Sincerely,

/s/ John E. Griesheimer
District 109

February 21, 2000

The Honorable Speaker Steve Gaw
Speaker of the House
Missouri House of Representatives
Room 308, State Capitol
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1682** be withdrawn.

Thank you very much.

Sincerely,

/s/ Representative Bill Boucher

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 22, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-sixth Day, Thursday, February 17, 2000, page 316, roll call, by showing Representative Black voting "aye" rather than "absent with leave".

Page 316, roll call, by showing Representative Reynolds voting "present" rather than "absent with leave".

Page 317, roll call, by showing Representatives Bartle, Kennedy, Linton and Reinhart voting "aye" rather than "absent with leave".

Page 325, roll call, by showing Representatives Howerton, Pouche and Williams (121) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 22, 2000. Hearing Room 3 upon adjournment. Mark-up
Dept. of Social Services, Dept. of Corrections.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 23, 2000. Hearing Room 3 upon adjournment. Mark-up
Dept. of Social Services, Dept. of Corrections.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 24, 2000. Hearing Room 3 upon adjournment. Mark-up
Dept. of Social Services, Dept. of Corrections.

BANKS AND FINANCIAL INSTITUTIONS

Tuesday, February 22, 2000, 9:30 am. Side gallery.
To be considered - HB 1942

BUDGET

Tuesday, February 22, 2000, 8:30 am. Hearing Room 3. AMENDED NOTICE.
To be considered - HB 1104, HB 1105, HB 1106, HB 1112

BUDGET

Wednesday, February 23, 2000, 8:30 am. Hearing Room 3.
To be considered - HB 1106, HB 1107, HB 1112

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 23, 2000, 7:30 pm. Hearing Room 6.
Possible Executive Session.
To be considered - HB 1324, HB 1436, HB 1520, HB 1551, HB 1678, HB 1865, HCR 7

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 23, 2000, 3:00 pm. Hearing Room 1.
To be considered - HB 1671, HB 1718, HB 1798, HB 1858, HB 1897,
Executive Session - HB 1153, Executive Session - HB 1502, Executive Session - HB 1543,
Executive Session - HB 1703, Executive Session - HB 1770

CONSUMER PROTECTION

Tuesday, February 22, 2000, 8:00 pm. Hearing Room 1.

Possible Executive Session to follow.

To be considered - HB 1496, HB 1869, HB 1877, HB 1894

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, February 22, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1800, HB 1814

CRIMINAL LAW

Wednesday, February 23, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow. CORRECTED NOTICE.

To be considered - HB 1226, HB 1679, HB 1822, HB 1887, HB 1966, HB 1973

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 3.

To be considered - HB 1255, HB 1469, HB 1553, HB 1614, HB 1702, HB 1713, HB 1860, HB 1873

EDUCATION - HIGHER

Wednesday, February 23, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1888, HB 1916

ELECTIONS

Tuesday, February 22, 2000, 8:00 pm. Hearing Room 5.

Discussion on HEC 1 and HEC 2.

To be considered - HB 1636, HB 1637, HB 1872

INSURANCE

Tuesday, February 22, 2000, 8:00 am. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1485, HB 1596, HB 1802

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 24, 2000, 9:00 am. Hearing Room 5.

Recommendation for approval of reports from Oversight Subcommittee.

JUDICIARY

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1477, HB 1507, HB 1548, HB 1688, HB 1809

LABOR

Tuesday, February 22, 2000, 8:00 pm. Hearing Room 3.

To be considered - Executive Session - HB 1816

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 7.

Executive Session may be held.

To be considered - HB 1446, HB 1514, HB 1652, HB 1710, HB 1768, HB 1803, HB 1883, HB 1892, HB 1903, HB 1939, HB 1967

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1250, HB 1251, HB 1347, HB 1427, HB 1715, HB 1767, HB 1783

MUNICIPAL CORPORATIONS

Wednesday, February 23, 2000, 3:00 pm. Hearing Room 4. Executive Session.

To be considered - HB 1691, HB 1915

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 23, 2000, 3:30 pm. Hearing Room 2.

To be considered - HB 1435, HB 1827, HB 1857, HB 1868

PUBLIC HEALTH

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 4.

Executive Session to follow.

To be considered - HB 1911, HB 1947

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, February 22, 2000, 8:30 am. Hearing Room 6.

Executive Session will follow.

To be considered - HB 1665, HB 1696, HB 1889

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 22, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow.

To be considered - HB 1817, HB 1871

SUBCOMMITTEE ON AGRICULTURE MARKETING - AGRI-BUSINESS

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 2A & 2B.

TRANSPORTATION

Wednesday, February 23, 2000, 3:00 pm. Hearing Room 6.

Executive Session to follow.

To be considered - HB 1881, HB 1922, HB 1948, HB 1970, HB 1972

WAYS AND MEANS

Tuesday, February 22, 2000, 3:00 pm. Hearing Room 7.

Executive Session possible.

To be considered - HB 1069, HB 1159, HB 1167, HB 1209, HB 1272, HB 1273, HB 1274, HB 1304, HB 1445, HB 1735

HOUSE CALENDAR

TWENTY-EIGHTH DAY, TUESDAY, FEBRUARY 22, 2000

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 18 through HCR 20

HOUSE BILLS FOR SECOND READING

HB 2046 through HB 2050

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61 - Van Zandt

HOUSE BILLS FOR PERFECTION

- 1 HB 1443 - Koller
- 2 HCS HB 1602 - Leake
- 3 HCS HB 1737 - Monaco
- 4 HCS HB 1143 - Scheve
- 5 HB 1615 - Hosmer
- 6 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 7 HCS HB 1566 & 1810 - Bray

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HB 1082 - Crump

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 10, (2-3-00, pg. 211) - Auer
- 2 HCR 17, (2-17-00, pgs. 332-333) - Riley

HOUSE BILL FOR THIRD READING

HS HCS HB 1742, E.C. (Fiscal Review 2-21-00) - Koller

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1376 - Farnen
- 2 HB 1292 - Auer
- 3 HB 1208 - Fitzwater
- 4 HB 1353 - Farnen
- 5 HB 1185 - Gratz
- 6 HB 1085 - Selby
- 7 HB 1396 - Farnen
- 8 HB 1097 - Hosmer
- 9 HB 1289 - Auer

SENATE BILLS FOR SECOND READING

- 1 SB 537
- 2 SCS SB 540
- 3 SB 722
- 4 SB 769
- 5 SB 774
- 6 SCS SB 779
- 7 SB 856

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TWENTY-EIGHTH DAY, TUESDAY, FEBRUARY 22, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

God of knowledge and source of wisdom, take Your place in the midst of this Chamber today. Help those who labor here to sense the Spirit of Your touch. May freedom inform democracy here with a breath of hope, and may intelligence and thought bring wisdom to these men and women, Your sons and daughters and our brothers and sisters. Lead them in the way of Your leadership, which is service and care. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ben Makla, Nathan Makla, Luke Turner, Jason Marshall, Kelli Marshall, Drew Weber, Nick Weber, Melissa Myers, Taylor Janous, Emily Wheeler, Jennifer Weber, Sonia Burns, Mark Stinson, Seth Oestreich, Christine Aubuchon, Trina Bilderback, Dana Litton, Jeremy McMillan, Danielle Adams and Cassie Avila.

The Journal of the twenty-seventh day was approved as printed by the following vote:

AYES: 156

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab

Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Stokan	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 002

Hanaway Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Carter Froelker Kasten Mays 50

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 314 - Representative Holand
House Resolution No. 315 - Representative Ballard
House Resolution No. 316
 through
House Resolution No. 323 - Representatives Gross and Ostmann
House Resolution No. 324 - Representative Relford
House Resolution No. 325 - Representatives Koller and Scott

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 18 through **HCR 20** were read the second time.

SECOND READING OF HOUSE BILLS

HB 2046 through **HB 2050** were read the second time.

SECOND READING OF SENATE BILLS

SB 537, SCS SB 540, SB 722, SB 769, SB 774, SCS SB 779 and **SB 856** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 1085, HB 1097, HB 1185, HB 1208, HB 1289, HB 1292, HB 1353, HB 1376 and HB 1396**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 10, relating to life insurance, was taken up by Representative Auer.

On motion of Representative Auer, **HCR 10** was read the third time and passed by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Gambara	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
McBride	McClelland	McKenna	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Scheve	Schilling	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Stokan	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Dougherty	McLuckie	Murphy
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PRESENT: 001

Boykins

ABSENT WITH LEAVE: 008

Bray 84	Carter	Crawford	Froelker	Kasten
Mays 50	Sallee	Schwab		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Backer, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

HCR 17, relating to Derrick Thomas Highway, was taken up by Representative Riley.

On motion of Representative Riley, **HCR 17** was read the third time and passed by the following vote:

AYES: 140

Abel	Auer	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher 48
Boykins	Britt	Burton	Campbell	Chrismer
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Phillips	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Scott	Seigfreid	Selby
Shelton	Smith	Stokan	Summers	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 012

Akin	Alter	Champion	Cierpiot	Hegeman
Levin	Murphy	Myers	Pouche 30	Secrest
Shields	Surface			

PRESENT: 001

Patek

ABSENT WITH LEAVE: 009

Blunt	Bray 84	Carter	Dolan	Froelker
Kasten	Mays 50	Schwab	Skaggs	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gambaro, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Hickey moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HB 1443, relating to sales tax exemption, was taken up by Representative Koller.

Representative Hendrickson offered **House Amendment No. 1**.

Representative Koller raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hendrickson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1443, Page 8, Section 144.030, Line 263, by adding after said line the following:

“(39) All sales of merchandise for use in the final disposition of a dead human body and all sales of merchandise for use in or in connection with a funeral, burial or cremation service for a dead human body, including coffins, caskets, urns, burial vaults, grave monuments and grave markers.”; and

Further amend the title and enacting clause accordingly.

Representative Koller raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Hendrickson, **House Amendment No. 1** was adopted by the following vote:

AYES: 145

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hohulin	Holand	Hollingsworth	Hoppe	Howerton

Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	McBride	McClelland	McKenna
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan
Summers	Surface	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 159	Wilson 42	Wright	Mr. Speaker

NOES: 010

Auer	Bray 84	Days	Fraser	Gambara
Hilgemann	McLuckie	Schilling	Thompson	Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 007

Carter	Froelker	Hosmer	Kasten	Mays 50
Overschmidt	Williams 121			

VACANCIES: 001

Representative Gunn offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 1443, Page 8, Section 144.030, Line 263, by inserting after said line the following:

"144.813. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, RSMo, there shall also be specifically exempted from the provisions of sections 66.600 to 66.635, RSMo, sections 67.500 to 67.545, 67.547, 67.581, 67.582, 67.671 to 67.685, 67.700 to 67.729, 67.730 to 67.739, 67.782, RSMo, sections 92.400 to 92.420, RSMo, sections 94.500 to 94.570, 94.600 to 94.655, 94.700 to 94.755, RSMo, and sections 144.010 to 144.510 and 144.600 to 144.745, RSMo, and from the computation of the tax levied, assessed or payable pursuant to sections 66.600 to 66.635, RSMo, sections 67.500 to 67.545, 67.547, 67.581, 67.582, 67.671 to 67.685, 67.700 to 67.729, 67.730 to 67.739, 67.782, RSMo, sections 92.400 to 92.420, RSMo, sections 94.500 to 94.570, 94.600 to 94.655, 94.700 to 94.755, RSMo, and sections 144.010 to 144.510 and 144.600 to 144.745, RSMo, purchases of all clothing, including footwear but excluding jewelry, which is intended to be worn on a person if any such article of clothing purchased has a retail value of less than five hundred dollars. Clothing includes cloth or material made of natural or synthetic fibers which is worn on a person as clothing."

2. This section shall become effective on October 1, 2000."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Gunn, **House Amendment No. 2** was adopted.

On motion of Representative Koller, **HB 1443, as amended**, was ordered perfected and printed.

HCS HB 1602, relating to livestock sales regulations, was taken up by Representative Leake.

Speaker Pro Tem Kreider assumed the Chair.

Representative Hegeman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1602, Page 8, Section 276.760, by inserting after all of said section the following:

"[277.203. A packer purchasing or soliciting livestock in this state for slaughter shall not discriminate in prices paid or offered to be paid to sellers of that livestock. The provisions of this section shall not be construed to mean that a price or payment method must remain fixed throughout any marketing period. The provisions of this section shall not apply to the sale and purchase of livestock if the following requirements are met:

(1) The price differential is based on the quality of the livestock, if the packer purchases or solicits the livestock based upon a payment method specifying prices paid for criteria relating to carcass merit; actual and quantifiable costs related to transporting and acquiring the livestock by the packer; or an agreement for the delivery of livestock at a specified date or time; and

(2) After making a differential payment to a seller, the packer publishes information relating to the differential pricing, including the payment method for carcass merit, transportation and acquisition pricing, and an offer to enter into an agreement for the delivery of livestock at a specified date or time according to the same terms and conditions offered to other sellers.]

277.204. It shall be a violation of sections 277.200 to 277.215 for any packer with respect to livestock, meats, meat food products or livestock products in unmanufactured form, or for any live poultry dealer with respect to live poultry, to:

(1) Engage in or use any unfair, unjustly discriminatory, or deceptive practice or device; or

(2) Make or give any undue or unreasonable preference or advantage to any particular person or locality in any respect whatsoever, or subject any particular person or locality to any undue or unreasonable prejudice or disadvantage in any respect whatsoever; or

(3) Sell or otherwise transfer to or for any other packer or any live poultry dealer, or buy or otherwise receive from or for any other packer or any live poultry dealer, any article for the purpose or with the effect of apportioning the supply between any such persons, if such apportionment has the tendency or effect of restraining commerce or of creating a monopoly; or

(4) Sell or otherwise transfer to or for any other person, or buy or otherwise receive from or for any other person, any article for the purpose or with the effect of manipulating or controlling prices, or of creating a monopoly in the acquisition of, buying, selling or dealing in, any article, or of restraining commerce; or

(5) Engage in any course of business or do any act for the purpose or with the effect of manipulating or controlling prices, or of creating a monopoly in the acquisition of, buying, selling or dealing in, any article, or of restraining commerce; or

(6) Conspire, combine, agree or arrange with any other person to:

(a) Apportion territory for carrying on business; or

(b) Apportion purchases or sales of any article; or

(c) Manipulate or control prices; or

(7) Conspire, combine, agree or arrange with any other person to do, or aid or abet the doing of, any act made unlawful by this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hegeman, **House Amendment No. 1** was adopted.

Representative Marble offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1602, Page 8, Section 276.760, Line 3, by inserting after all of said line the following:

"Section B. The provisions of section A of this act shall become effective upon the passage of substantially similar legislation, as determined by an appropriate federal court, within seven years of the passage of section A of this act by six or more of the states bordering Missouri."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Leake raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Speaker Gaw resumed the Chair.

Representative Marble moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Merideth	Murphy	Myers	Naeger
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

NOES: 076

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Bray 84	Britt	Campbell
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Farnen	Fitzwater	Foley
Franklin	Fraser	Gambaro	George	Graham 24
Gratz	Green	Gunn	Hagan-Harrell	Hampton
Harlan	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kennedy	Kissell	Kreider
Lakin	Lawson	Leake	Luetkenhaus	May 108
McBride	McKenna	McLuckie	Monaco	Murray
Nordwald	O'Connor	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Stokan	Thompson	Treadway	Van Zandt	Wagner

Ward
Mr. Speaker

Wiggins

Williams 159

Wilson 25

Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 013

Boykins
Koller
Rizzo

Carter
Liese
Troupe

Ford
Mays 50
Williams 121

Froelker
Miller

Kasten
O'Toole

VACANCIES: 001

Representative Hohulin requested a verification of the roll call on the adoption of **House Amendment No. 2**.

HCS HB 1602, as amended, was laid over.

COMMITTEE REPORTS

Committee on Banks and Financial Institutions, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **HB 1942**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Federal-State Relations and Veterans Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred **HB 1923**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Public Health, Chairman Ladd Stokan reporting:

Mr. Speaker: Your Committee on Public Health, to which was referred **HB 1828**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 1340**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 1825**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 21, introduced by Representative Hampton, to authorize the Governor to approve the proposed annexation of the aforementioned two hundred five acres into the city of Licking.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2051, introduced by Representative Kennedy, relating to the licensure of mental health professionals.

HB 2052, introduced by Representatives Koller and Reid, relating to funding public transit purposes with the sales tax collected on motor vehicles.

HB 2053, introduced by Representatives Kennedy and Crawford, relating to county recorders of deeds.

HB 2054, introduced by Representative May (108), relating to police relief and pension systems.

The following member's presence was noted: Carter.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 23, 2000.

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 23, 2000. Hearing Room 3 upon adjournment.
Mark-up Dept. of Social Services, Dept. of Corrections.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 24, 2000. Hearing Room 3 upon adjournment.
Mark-up Dept. of Social Services, Dept. of Corrections.

BUDGET

Wednesday, February 23, 2000, 8:30 am. Hearing Room 3.
To be considered - HB 1106, HB 1107, HB 1112

BUDGET

Thursday, February 24, 2000, 8:30 am. Hearing Room 3.

To be considered - HB 1106, HB 1107

CHILDREN, YOUTH AND FAMILIES

Wednesday, February 23, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session.

To be considered - HB 1324, HB 1436, HB 1520, HB 1551, HB 1678, HB 1865, HCR 7

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 23, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1671, HB 1718, HB 1798, HB 1858, HB 1897,

Executive Session - HB 1153, Executive Session - HB 1502,

Executive Session - HB 1543, Executive Session - HB 1703, Executive Session - HB 1770

COMMERCE

Wednesday, February 23, 2000, 5:30 pm. Hearing Room 3.

Executive Session may follow.

Presentation regarding outside study of 18 tax credit programs.

To be considered - HB 1626, HB 1629, HB 1925, HB 1945

CRIMINAL LAW

Wednesday, February 23, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow. CORRECTED NOTICE.

To be considered - HB 1226, HB 1679, HB 1822, HB 1887, HB 1966, HB 1973

EDUCATION - HIGHER

Wednesday, February 23, 2000, 3:00 pm. Hearing Room 5.

To be considered - HB 1888, HB 1916

ENVIRONMENT AND ENERGY

Thursday, February 24, 2000, 8:00 am. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1619, HB 1927

ETHICS

Thursday, February 24, 2000. Side gallery upon morning adjournment.

Approval of Caucuses.

FISCAL REVIEW

Thursday, February 24, 2000, 8:30 am. Hearing Room 4.

Executive Session.

To be considered - HB 1742, HB 1836

GOVERNMENTAL ORGANIZATION AND REVIEW

Thursday, February 24, 2000, 9:00 am. Side gallery.

To be considered - Executive Session - HB 1728, Executive Session - HB 1733

INSURANCE

Thursday, February 24, 2000, 9:00 am. Side gallery.

Executive Session.

To be considered - HB 1642

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASING OVERSIGHT

Monday, February 28, 2000, 2:00 pm. Hearing Room 7.

Potential changes to lease budget and process.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 24, 2000, 9:00 am. Hearing Room 5.

Recommendation for approval of reports from Oversight Subcommittee.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 23, 2000, 9:00 am. Hearing Room 6.

To be considered - HB 1564, HR 33, HR 91, HR 169, HR 173, HR 200,

Executive Session - HB 1368, Executive Session - HB 1394,

Executive Session - HB 1775, Executive Session - HB 1797

MUNICIPAL CORPORATIONS

Wednesday, February 23, 2000, 3:00 pm. Hearing Room 4.

Executive Session.

To be considered - HB 1691, HB 1915

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 23, 2000, 3:30 pm. Hearing Room 2.

To be considered - HB 1435, HB 1827, HB 1857, HB 1868

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 24, 2000, 9:30 am. Room 401.

To be considered - Executive Session - HB 1413, Executive Session - HB 1848

PUBLIC SAFETY AND LAW ENFORCEMENT

Thursday, February 24, 2000, 9:30 am. Side gallery.

To be considered - Executive Session - HB 1484, Executive Session - HB 1696

RETIREMENT

Wednesday, February 23, 2000, 8:00 pm. Hearing Room 1.

Tentative Executive Session.

To be considered - HB 1914, HB 1955, HB 1996

TRANSPORTATION

Wednesday, February 23, 2000, 3:00 pm. Hearing Room 6.

Executive Session to follow.

To be considered - HB 1881, HB 1922, HB 1948, HB 1970, HB 1972

HOUSE CALENDAR

TWENTY-NINTH DAY, WEDNESDAY, FEBRUARY 23, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 21

HOUSE BILLS FOR SECOND READING

HB 2051 through HB 2054

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61 - Van Zandt

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1602, as amended - Leake
- 2 HCS HB 1737 - Monaco
- 3 HCS HB 1143 - Scheve
- 4 HB 1615 - Hosmer
- 5 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 6 HCS HB 1566 & 1810 - Bray
- 7 HCS HB 1386 & 1086 - Britt
- 8 HCS HB 1076 - Relford
- 9 HB 1238 - Hoppe
- 10 HCS HB 1242 - Treadway
- 11 HB 1472 - Smith
- 12 HCS HB 1434 - Skaggs
- 13 HCS HB 1481 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HB 1082 - Crump

HOUSE BILL FOR PERFECTION - CONSENT

(February 23, 2000)

HB 1335 - Scheve

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1742, E.C. (Fiscal Review 2-21-00) - Koller
- 2 HS HCS HB 1254 - Kissell
- 3 HCS HB 1644, E.C. - Hagan-Harrell

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1376 - Farnen
- 2 HB 1292 - Auer
- 3 HB 1208 - Fitzwater
- 4 HB 1353 - Farnen
- 5 HB 1185 - Gratz
- 6 HB 1085 - Selby
- 7 HB 1396 - Farnen
- 8 HB 1097 - Hosmer
- 9 HB 1289 - Auer

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

TWENTY-NINTH DAY, WEDNESDAY, FEBRUARY 23, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Holy One of History, You seem to plant deep within the human heart the desire for harmony and concord. You seem to give us energy to think, plan, work to build the better society - You plant in our unconscious dreams the vision of a community of accord. We have accomplished much, but still search for the reality of that dream here in our state of Missouri. Let the search and the work continue in these hallowed halls this day. Hold us true to these intimations of godliness which are our warp and woof. Help us build and plan in line with Your will. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Christopher Camp, Chance Vahle, Laura Goodpasture, Billie Branstetter, Tracy Fish, Jennifer Smith, Darrell Reynolds, Michael Carter, Jessica Hastings and Robert Crowley.

The Journal of the twenty-eighth day was approved as corrected by the following vote:

AYES: 155

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Carter	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
OToole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Stokan	Summers	Surface

Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 003

Blunt	Hanaway	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 004

Berkstresser	Enz	Froelker	Kasten
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 326 - Representative Berkowitz
House Resolution No. 327 - Representative Richardson, et al
House Resolution No. 328
through
House Resolution No. 341 - Representative Alter
House Resolution No. 342 - Representative Williams (121)
House Resolution No. 343 - Representative Boucher
House Resolution No. 344 - Representative Hegeman

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 21 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2051 through **HB 2054** were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 61, relating to Missouri Tobacco Fund Settlement, was taken up by Representative Van Zandt.

Representative Van Zandt offered **HS HCS HJR 61**.

Representative Gambaro offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Joint Resolution No. 61, Page 1, Section 25, Line 21, by inserting after the word “**products**” the words “**and any proceeds resulting from the investment of such funds**”; and

Further amend said section, Page 2, Line 1, by deleting all of said line and inserting in lieu thereof the following:

“revenues” as defined in sections 17 and 18 of this article and the expenditure of such funds shall not be an “expense of state government” under section 20 of this article”; and

Further amend said section, Page 3, Line 5, by inserting after the word **“trust”** the words **“as now or hereafter provided by law”**.

Representative Van Zandt offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Joint Resolution No. 61, Page 1, Section 25, Line 21, by inserting after the word **“products”** the words **“and any proceeds resulting from the investment of such funds”**; and

Further amend said section, Page 2, Line 1, by deleting all of said line and inserting in lieu thereof the following:

“revenues” as defined in sections 17 and 18 of this article and the expenditure of such funds shall not be an “expense of state government” under section 20 of this article and shall be”; and

Further amend said section, Page 3, Line 1, by deleting the number **“2011”** and inserting in lieu thereof the following:

“2012. After June 30, 2012, moneys in the trust fund shall be used, subject to appropriation, for the purposes provided for in subsection 3 of this section without the percentage restriction”.

Further amend said section, Page 3, Line 5, by inserting after the word **“trust”** the words **“as now or hereafter provided by law”**.

Representative Hanaway raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** goes beyond the scope of the original amendment.

The Chair ruled the point of order not well taken.

Representative Shields requested a division of the question.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

PART I

AMEND House Substitute for House Committee Substitute for House Joint Resolution No. 61, Page 1, Section 25, Line 21, by inserting after the word **“products”** the words **“and any proceeds resulting from the investment of such funds”**; and

Further amend said section, Page 2, Line 1, by deleting all of said line and inserting in lieu thereof the following:

“revenues” as defined in sections 17 and 18 of this article and the expenditure of such funds shall not be an “expense of state government” under section 20 of this article and shall be”; and

On motion of Representative Van Zandt, **Part I of House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 088

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Carter	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Stokan	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 070

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Evans	Foster
Gibbons	Graham 106	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kelley 47	King	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	Miller	Murphy
Myers	Naeger	Nordwald	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Enz	Froelker	Gaskill	Kasten
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VACANCIES: 001

*House Substitute Amendment No. 1
for
House Amendment No. 1*

PART II

AMEND House Substitute for House Committee Substitute for House Joint Resolution No. 61, Page 3, Line 1, by deleting the number “**2011**” and inserting in lieu thereof the following:

“2012. After June 30, 2012, moneys in the trust fund shall be used, subject to appropriation, for the purposes provided for in subsection 3 of this section without the percentage restriction”.

Further amend said section, Page 3, Line 5, by inserting after the word “**trust**” the words “**as now or hereafter provided by law**”.

On motion of Representative Van Zandt, **Part II of House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 088

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Carter	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Stokan	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 070

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Evans	Foster	Gaskill
Gibbons	Graham 106	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kelley 47	King	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	Miller	Murphy
Myers	Naeger	Nordwald	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Bennett	Enz	Froelker	Kasten
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VACANCIES: 001

Representative Harlan offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Joint Resolution No. 61, Page 2, Section 25, Line 7, by deleting the number “**three hundred**” and inserting in lieu thereof the number “**one hundred and seventy five**”; and

Further amend said bill, Page 2, Section 25, Lines 14 through 16, by deleting all of said lines and inserting in lieu thereof the following:

“3. When the corpus of the tobacco settlement trust fund again reaches one hundred and seventy five million dollars after the initial transfer as provided in subsection 2 of this section, such additional amount shall be transferred to the “Pharmacy or Health Care Relief Fund for the Elderly” which is hereby created. All moneys in the fund shall be subject to appropriation by the general assembly and any interest in the fund shall accrue thereto.”; and

Further amend said section by renumbering the subsections accordingly.

Representative Scheve offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

Speaker Pro Tem Kreider assumed the Chair.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Scheve offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Joint Resolution No. 61, Page 2, Section 25, Lines 3 through 5, by deleting all of said lines and inserting in lieu thereof the following: **“Settlement Trust Fund”, which hereby created.”; and**

Further amend said section, Page 2, Line 7, by deleting the number **“three hundred”** and inserting in lieu thereof the number **“one hundred and seventy-five”**; and

Further amend said bill, Page 2, Section 25, Line 13, by deleting all of said lines and inserting after said line the following:

“3. When the corpus of the tobacco settlement trust fund again reaches one hundred and seventy-five million dollars after the initial transfer as provided in subsection 2 of this section, such additional amount shall be transferred to the “Pharmacy or Health Care Relief Fund for the Elderly” which is hereby created. All moneys in the fund shall be subject to appropriation by the general assembly and any interest in the fund shall accrue thereto.”.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Carter	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green

Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Stokan	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 069

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Evans	Foster	Gaskill
Gibbons	Graham 106	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kelley 47	King	Klindt
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Richardson	Ridgeway	Ross	Sallee
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Elliott	Enz	Froelker	Gunn	Kasten
Legan	Robirds	Schwab		

VACANCIES: 001

Speaker Gaw resumed the Chair.

On motion of Representative Scheve, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted by the following vote:

AYES: 149

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Carter	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambara	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Levin
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger

Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Stokan	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Evans	Hohulin	Loudon	Patek
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PRESENT: 000

ABSENT WITH LEAVE: 009

Elliott	Enz	Froelker	Gunn	Kasten
Legan	Parker	Robirds	Vogel	

VACANCIES: 001

HCS HJR 61, with HS, as amended, pending, was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1443 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1428**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1816**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Public Health, Chairman Ladd Stokan reporting:

Mr. Speaker: Your Committee on Public Health, to which was referred **HB 1568**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1922**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1948**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1606**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 22, introduced by Representative Liese, relating to the state lottery commission.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2055, introduced by Representative Surface, to authorize the conveyance of certain properties between the Missouri national guard and the city of Joplin.

HB 2056, introduced by Representatives Gunn, Riley, Troupe, Thompson, Days, Ross, Murray, Curls, Carter and Boykins, et al, relating to profiling for traffic stops.

HB 2057, introduced by Representative Green, relating to the computer lemon law.

HB 2058, introduced by Representatives Reid, Hartzler (124), Levin and Sallee, relating to phonics instruction.

HB 2059, introduced by Representatives Williams (121), Sallee and Lakin, et al, relating to ad valorem property tax collections.

HB 2060, introduced by Representative May (108), relating to corporations.

HB 2061, introduced by Representative Lakin, relating to delinquent real estate taxes.

HB 2062, introduced by Representative Lakin, relating to American Sign Language.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 23**.

SENATE CONCURRENT RESOLUTION NO. 23

WHEREAS, the Congress of the United States has required the use of reformulated motor fuel in many major urban centers of the nation, known as "non-attainment areas" for failure to attain air quality standards; and

WHEREAS, this reformulated motor fuel most often achieves the federal requirement for "oxygenated" components through inclusion of a substantial amount of methyl tertiary-butyl ether or MTBE; and

WHEREAS, motor fuels are often leaked into the ground surrounding a fuel station by leakage from underground storage tanks or splashing losses; and

WHEREAS, MTBE is more water-soluble than components in conventional gasoline; and

WHEREAS, MTBE is transported much more readily into aquifers used for drinking water supplies; and

WHEREAS, MTBE renders drinking water foul and unusable by humans; and

WHEREAS, MTBE has been used in reformulated motor fuel required throughout the St. Louis non-attainment area during the warm weather season beginning in 1999:

NOW, THEREFORE, BE IT RESOLVED, by the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, that the Department of Natural Resources be instructed to assess the extent of contamination of ground and surface water in the St. Louis non-attainment area and the risk of future contamination in that area from continuing use of reformulated motor fuel containing MTBE and to report its findings to the General Assembly and Governor no later than April 15, 2000; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Governor and the Director of the Department of Natural Resources.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 25**.

SENATE CONCURRENT RESOLUTION NO. 25

WHEREAS, the State of Missouri, due to its varied topography, is considered one of the most beautiful of the fifty states; and

WHEREAS, it is the obligation of Missouri citizens and tourists to help preserve this beauty; and

WHEREAS, while much attention has recently been focused on the "Adopt-A-Highway" program which is directed at collecting litter, more needs to be done to prevent littering; and

WHEREAS, the problem of littering is growing and prevention of littering is an obligation not only of Missouri citizens, but also of the tourists in the "Show Me State"; and

WHEREAS, keeping Missouri's roadsides beautiful is an immense and huge, expensive task:

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, do hereby instruct the Missouri Highway and Transportation Commission and the Department of Transportation to take immediate action to ensure that signs of appropriate size, lettering and design stating the current maximum penalty for littering be placed along the highways of the state and that any out-of-date signs be replaced; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution to the Missouri Highway and Transportation Commission and the Department of Transportation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 557**, entitled:

An act to amend chapter 99, RSMo, relating to municipal housing by adding thereto one new section relating to additional housing commissioners in certain political subdivisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 573**, entitled:

An act to repeal section 163.036, RSMo Supp. 1999, relating to deductions for state school aid over payments, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 643**, entitled:

An act to repeal sections 448.2-117 and 448.3-106, RSMo 1994, relating to condominium property, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 685**, entitled:

An act to amend chapter 311, RSMo, by adding thereto one new section relating to liquor control.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 746**, entitled:

An act to repeal section 320.091, RSMo 1994, relating to fire protection, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 756**, entitled:

An act to repeal sections 273.327, 273.333 and 273.357, RSMo 1994, relating to animal care facilities, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 765**, entitled:

An act to amend chapter 301, RSMo, by adding thereto one new section relating to license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 821**, entitled:

An act to amend chapter 50, RSMo, by adding thereto one new section relating to certain county retirement systems.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 836**, entitled:

An act to repeal section 355.661, RSMo 1994, relating to not-for-profit corporations, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 877**, entitled:

An act to amend chapter 9, RSMo, relating to public holidays by adding thereto one new section relating to Missouri lifelong learning month.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 883**, entitled:

An act to repeal section 334.655, RSMo Supp. 1999, relating to physical therapist assistants, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 24, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-eighth Day, Tuesday, February 22, 2000, page 358, roll call, by showing Representatives Crawford and Sallee voting "aye" rather than "absent with leave".

Pages 360 and 361, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 24, 2000. Hearing Room 3 upon adjournment. Mark-up
Dept. of Social Services, Dept. of Corrections.

BUDGET

Thursday, February 24, 2000, 8:30 am. Hearing Room 3.
To be considered - HB 1106, HB 1107

CONSUMER PROTECTION AND HOUSING

Tuesday, February 29, 2000, 8:00 pm. Hearing Room 1.
Possible Executive Session to follow.
To be considered - HB 1281

CRIMINAL LAW

Thursday, February 24, 2000. Side gallery upon adjournment.
Executive Session.

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 29, 2000, 8:00 am. Hearing Room 7.
To be considered - HB 1379, HB 1426, HB 1549, HB 1784

ENVIRONMENT AND ENERGY

Thursday, February 24, 2000, 8:00 am. Hearing Room 7.
Executive Session may follow.
To be considered - HB 1619, HB 1927

ETHICS

Thursday, February 24, 2000. Side gallery upon morning adjournment.
Approval of Caucuses.

FISCAL REVIEW

Thursday, February 24, 2000, 8:30 am. Hearing Room 4.
Executive Session.
To be considered - HB 1742, HB 1836

GOVERNMENTAL ORGANIZATION AND REVIEW

Thursday, February 24, 2000, 9:00 am. Side gallery.
To be considered - Executive Session - HB 1728, Executive Session - HB 1733

INSURANCE

Thursday, February 24, 2000, 9:00 am. Side gallery.
Executive Session Only. AMENDED NOTICE.

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASING OVERSIGHT

Monday, February 28, 2000, 2:00 pm. Hearing Room 7.
Potential changes to lease budget and process.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 24, 2000, 9:00 am. Hearing Room 5.
Recommendation for approval of reports from Oversight Subcommittee.

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, February 24, 2000. Side gallery upon adjournment.
To be considered - Executive Session - HB 1368

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 24, 2000, 9:30 am. Room 401.
To be considered - Executive Session - HB 1413, Executive Session - HB 1848

PUBLIC SAFETY AND LAW ENFORCEMENT

Thursday, February 24, 2000, 9:30 am. Side gallery.
To be considered - Executive Session - HB 1484, Executive Session - HB 1696

STATE PARKS, NATURAL RESOURCES AND MINING

Monday, February 28, 2000, 2:00 pm. Hearing Room 6.
Possible Executive Session. AMENDED NOTICE.
To be considered - HB 1320, HB 1342, HB 1924, HB 1961

UTILITIES REGULATION

Thursday, February 24, 2000, 8:15 am. Hearing Room 6.

Work session immediately following.

To be considered - HB 1326, HB 1415, HB 1878

HOUSE CALENDAR

THIRTIETH DAY, THURSDAY, FEBRUARY 24, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 22

HOUSE BILLS FOR SECOND READING

HB 2055 through HB 2062

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 61, HS, as amended, pending - Van Zandt

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1602, as amended - Leake
- 2 HCS HB 1737 - Monaco
- 3 HCS HB 1143 - Scheve
- 4 HB 1615 - Hosmer
- 5 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 6 HCS HB 1566 & 1810 - Bray
- 7 HCS HB 1386 & 1086 - Britt
- 8 HCS HB 1076 - Relford
- 9 HB 1238 - Hoppe
- 10 HCS HB 1242 - Treadway
- 11 HB 1472 - Smith
- 12 HCS HB 1434 - Skaggs
- 13 HCS HB 1481 - Smith
- 14 HCS HB 1305 - Rizzo
- 15 HCS HB 1574 & 1640 - Ladd Stokan

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HB 1082 - Crump

HOUSE BILL FOR PERFECTION - CONSENT

(February 23, 2000)

HB 1335 - Scheve

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1742, E.C. (Fiscal Review 2-21-00) - Koller
- 2 HS HCS HB 1254 - Kissell
- 3 HCS HB 1644, E.C. - Hagan-Harrell
- 4 HB 1443, (Fiscal Review 2-23-00) - Koller

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1376 - Farnen
- 2 HB 1292 - Auer
- 3 HB 1208 - Fitzwater
- 4 HB 1353 - Farnen
- 5 HB 1185 - Gratz
- 6 HB 1085 - Selby
- 7 HB 1396 - Farnen
- 8 HB 1097 - Hosmer
- 9 HB 1289 - Auer

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

- 1 SCR 23
- 2 SCR 25

SENATE BILLS FOR SECOND READING

- 1 SCS SB 557
- 2 SB 643
- 3 SCS SB 685
- 4 SCS SB 746
- 5 SCS SB 756
- 6 SCS SB 765
- 7 SB 821
- 8 SB 836
- 9 SB 877
- 10 SCS SB 883

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTIETH DAY, THURSDAY, FEBRUARY 24, 2000

Speaker Gaw in the Chair.

Prayer by Representative Matt Boatright.

Dear Lord, thank You for this day, we thank You for life, and the opportunity You have given each one of us to serve in this House today. Lord Jesus, we ask for wisdom and discernment and to know Your will, as we work in this legislative body. Your word tells us in Proverbs, that if we are out for wisdom and discernment, you will give it to us. We thank You for this promise. In Your name we pray, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alyssa Richardson, Christopher Camp, Chance Vahle, Laura Goodpasture and Billie Branstetter.

The Journal of the twenty-ninth day was approved as corrected by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Carter	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Stokan	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer

Marble	McClelland	Miller	Murphy	Myers
Naeger	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 004

Gunn	Kasten	Liese	Nordwald
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 345	-	Representative Levin
House Resolution No. 346	-	Representative Gibbons
House Resolution No. 347	-	Representatives Bartelsmeyer and Gaskill
House Resolution No. 348	-	Representative Ford, et al
House Resolution No. 349	-	Representative Kennedy
House Resolution No. 350	-	Representative Shields
House Resolution No. 351	-	Representative Barry
House Resolution No. 352	-	Representative Ridgeway
House Resolution No. 353	-	Representative Purgason
House Resolution No. 354	-	Representatives Curls, Wilson (42) and Riley
House Resolution No. 355	-	Representative Gross
House Resolution No. 356	-	Representative Hanaway

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 22 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2055 through **HB 2062** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 23 and **SCR 25** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 557, SB 643, SCS SB 685, SCS SB 746, SCS SB 756, SCS SB 765, SB 821, SB 836, SB 877 and **SCS SB 883** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1443**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HB 1742 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HB 1362, with HS, as amended, pending, relating to health insurance, was taken up and placed back on the Informal Calendar.

THIRD READING OF HOUSE BILL

HS HCS HB 1742, relating to transportation bonds, was taken up by Representative Koller.

Representative Lograsso raised a point of order that proceeding to the House Bills for Third Reading Calendar prior to the House Joint Resolutions for Perfection Calendar violates Rule 2 which establishes the order of business of the House.

The Chair ruled the point of order not well taken.

On motion of Representative Koller, **HS HCS HB 1742** was read the third time and passed by the following vote:

AYES: 135

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Britt	Burton
Campbell	Carter	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Dolan	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Foster	Franklin	Froelker
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hohulin	Holand
Hollingsworth	Hosmer	Howerton	Kelley 47	Kelly 27
King	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
May 108	Mays 50	McBride	McClelland	McKenna
Merideth	Miller	Monaco	Murray	Myers

Naeger	O'Connor	Ostmann	Overschmidt	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Richardson	Ridgeway
Riley	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Troupe	Tudor
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 019

Auer	Bray 84	Davis 63	Days	Dougherty
Fraser	Gambaro	Hilgemann	Hoppe	Kennedy
McLuckie	Murphy	O'Toole	Reynolds	Rizzo
Shelton	Stokan	Treadway	Van Zandt	

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Gunn	Kasten	Kissell	Liese
Luetkenhaus	Nordwald	Parker		

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 133

Abel	Akin	Alter	Backer	Ballard
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Blunt	Boatright	Boucher 48	Boykins	Britt
Burton	Campbell	Carter	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Dolan	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Foster	Franklin
Froelker	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hickey	Hohulin	Holand
Hollingsworth	Hosmer	Howerton	Kelley 47	Kelly 27
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Miller	Monaco	Murray
Myers	Naeger	O'Connor	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Richardson	Ridgeway	Riley	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 022

Auer	Barry 100	Bonner	Bray 84	Davis 63
Days	Dougherty	Fraser	Gambaro	Hendrickson
Hilgemann	Hoppe	Kennedy	McLuckie	Merideth
Murphy	O'Toole	Reynolds	Rizzo	Shelton
Stokan	Treadway			

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnett	Black	Ford	Gunn	Kasten
Liese	Nordwald			

VACANCIES: 001

On motion of Representative Lakin, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 61, with HS, as amended, pending, relating to Missouri Tobacco Settlement, was taken up by Representative Van Zandt.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Carter	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Stokan	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 075

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot

Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Merideth	Miller	Murphy
Myers	Naeger	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Gunn	Kasten	Liese	Nordwald
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VACANCIES: 001

On motion of Representative Van Zandt, **HS HCS HJR 61, as amended**, was adopted.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Carter	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Stokan	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kelley 47	King	Klindt	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Merideth	Miller	Murphy	Myers
Naeger	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 005

Gunn Kasten Legan Liese Nordwald

VACANCIES: 001

On motion of Representative Van Zandt, **HS HCS HJR 61, as amended**, was ordered perfected and printed by the following vote:

AYES: 088

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Carter	Champion	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Gratz
Green	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Levin	Luetkenhaus
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Monaco	Murray	O'Toole	Ostmann
Overschmidt	Parker	Ransdall	Reid	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Stokan	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 069

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kelley 47	King
Klindt	Legan	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	Merideth	Miller
Murphy	Myers	Naeger	Patek	Phillips
Pouche 30	Pryor	Purgason	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 005

Gunn Kasten Liese Nordwald O'Connor

VACANCIES: 001

Representative Van Zandt requested verification of the roll call on the perfection of **HS HCS HJR 61, as amended**.

PERFECTION OF HOUSE BILLS

HCS HB 1602, as amended, relating to livestock sales regulations, was placed on the Informal Calendar.

HCS HB 1737, relating to long-term insurance, was taken up by Representative Monaco.

Representative Kelley (47) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1737, Page 2, Section 376.955, Line 29, by adding after said line the following:

(3) May offer coverage to pay for abortions except to save the life of the Mother.

(4) May offer coverage to pay for counseling that encourages abortion except to save the life of the mother.

Representative Monaco raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Kelley (47), **House Amendment No. 1** was adopted by the following vote:

AYES: 108

Akin	Alter	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Burton	Champion	Chrismer	Cierpiot	Crawford
Crump	Curls	Davis 122	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Foley
Foster	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Gratz	Green	Griesheimer
Gross	Hampton	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Howerton	Kelley 47	Kennedy	King	Kissell
Klindt	Koller	Leake	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	McBride	McKenna	Miller
Monaco	Murphy	Murray	Myers	Naeger
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Seigfreid	Selby	Shields	Summers	Surface
Townley	Treadway	Tudor	Vogel	Ward
Wiggins	Williams 159	Wright		

NOES: 037

Abel	Auer	Backer	Britt	Campbell
Carter	Clayton	Davis 63	Days	Fitzwater
Franklin	Fraser	Graham 24	Hagan-Harrell	Harlan
Hilgemann	Kelly 27	Kreider	Lakin	Mays 50

McClelland	McLuckie	Merideth	Ostmann	Relford
Riley	Scheve	Schilling	Shelton	Skaggs
Thompson	Troupe	Van Zandt	Williams 121	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 001

Hosmer

ABSENT WITH LEAVE: 016

Boykins	Bray 84	Ford	Gunn	Holand
Hollingsworth	Kasten	Lawson	Liese	May 108
Nordwald	O'Connor	O'Toole	Smith	Stokan
Wagner				

VACANCIES: 001

Representative Wright requested verification of the roll call on the adoption of **House Amendment No. 1**.

Representative Wright offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1737, Page 1, Section 376.955, Line 1, by deleting said word [the] and replacing with the word “A”.

Representative Auer assumed the Chair.

Representative Purgason offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1737, Page 1, Section 376.955, Line 1, by deleting said word [the] and replacing with the words “A director man or director woman”.

HCS HB 1737, as amended, with House Substitute Amendment No. 1 for House Amendment No. 2 and House Amendment No. 2, pending, was laid over.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 295 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 18** - Transportation
- HCR 19** - Agriculture
- HCR 20** - Miscellaneous Bills and Resolutions
- HCR 21** - Correctional and State Institutions

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

- HJR 72** - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1088** - Ways and Means
- HB 1175** - Local Government and Related Matters
- HB 1205** - Education - Elementary and Secondary
- HB 1331** - Agriculture
- HB 1387** - Public Safety and Law Enforcement
- HB 1536** - Judiciary
- HB 1539** - Judiciary
- HB 1557** - Local Government and Related Matters
- HB 1646** - Civil and Administrative Law
- HB 1662** - Municipal Corporations
- HB 1667** - Civil and Administrative Law
- HB 1669** - Civil and Administrative Law
- HB 1689** - Social Services, Medicaid and the Elderly
- HB 1795** - Education - Elementary and Secondary
- HB 1799** - Critical Issues
- HB 1859** - Banks and Financial Institutions
- HB 1891** - Agriculture
- HB 1935** - Civil and Administrative Law
- HB 1998** - Retirement
- HB 1999** - Education - Elementary and Secondary
- HB 2000** - Social Services, Medicaid and the Elderly
- HB 2001** - Miscellaneous Bills and Resolutions
- HB 2002** - Education - Elementary and Secondary
- HB 2003** - Municipal Corporations
- HB 2004** - Critical Issues
- HB 2005** - Education - Higher

HB 2007 - Education - Elementary and Secondary
HB 2008 - Motor Vehicle and Traffic Regulations
HB 2009 - Public Safety and Law Enforcement
HB 2010 - Criminal Law
HB 2011 - Local Government and Related Matters
HB 2012 - Motor Vehicle and Traffic Regulations
HB 2014 - Retirement
HB 2015 - Ways and Means
HB 2016 - Professional Registration and Licensing
HB 2017 - Criminal Law
HB 2018 - Transportation
HB 2019 - Municipal Corporations
HB 2020 - Social Services, Medicaid and the Elderly
HB 2021 - Social Services, Medicaid and the Elderly
HB 2022 - Education - Elementary and Secondary
HB 2023 - Education - Elementary and Secondary
HB 2024 - Transportation
HB 2025 - Environment and Energy
HB 2026 - Ways and Means
HB 2027 - Public Health
HB 2028 - Judiciary
HB 2030 - Labor
HB 2031 - Elections
HB 2032 - Professional Registration and Licensing
HB 2033 - Local Government and Related Matters
HB 2034 - Motor Vehicle and Traffic Regulations
HB 2035 - Ways and Means
HB 2036 - Commerce
HB 2037 - Fiscal Review
HB 2038 - Education - Elementary and Secondary
HB 2039 - Environment and Energy
HB 2040 - Civil and Administrative Law
HB 2041 - Workers Compensation and Employment Security
HB 2043 - Professional Registration and Licensing
HB 2044 - Education - Higher
HB 2045 - Miscellaneous Bills and Resolutions

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 1712**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1540**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1739**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1596**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1680**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1802**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 33**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 33

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the processes of democratic government through a format of direct role playing experience; and

WHEREAS, during June 25 to July 1, 2000, the American Legion Auxiliary, Department of Missouri, will conduct the 59th annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event will be conducting a mock legislative session in the House Chamber at our State Capitol, where participants gather each year to gain a more realistic insight into official governmental and electoral proceedings:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, hereby grant the adult leaders and participants of the 59th Session of Missouri Girls State permission to use the House Chamber for the purpose of swearing in mock legislative officials on the afternoon of June 27, 2000, from 1:15 p.m. to 3:15 p.m.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 91**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 91

WHEREAS, the 4-H Youth Forum is an education experience in state government for youth who have completed the eighth grade or above; and

WHEREAS, the youth, with the aid and supervision of University Extension staff and legislators participate in mock legislative sessions and floor debates of current bills that are of interest to youth; and

WHEREAS, the General Assembly has a long tradition of granting the use of its House and Senate Chambers for the purposes of official functions:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, hereby grant the 4-H Youth Forum permission to use the House Chamber for their mock legislature on Thursday, June 29, 2000, from 9:00 a.m. until 11:30 a.m.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 169**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 169

WHEREAS, the Missouri House of Representatives has a long tradition of rendering assistance to programs that develop outstanding qualities of both citizenship and leadership; and

WHEREAS, the legislative interns of the Missouri General Assembly are interested in gaining an insight into the democratic process by conducting a mock legislative forum in the House Chamber; and

WHEREAS, one of the purposes of the Missouri General Assembly's intern program is to give college students participating in the program a working knowledge of the operation and function of Missouri's legislative bodies in order to better prepare them to pursue related career goals and to fulfill their roles as active and responsible citizens:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, hereby grant the participants of the Legislative and State Official Intern Program permission to use the House Chamber for the purpose of conducting their 2000 Mock Legislative Session from 10:00 a.m. until 1:00 p.m. on Monday, April 17 and Tuesday, April 25, 2000.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 173**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 173

WHEREAS, the General Assembly has a long tradition of rendering assistance to programs aimed at developing outstanding qualities of both citizenship and leadership; and

WHEREAS, the Missouri Jaycees organization has sought to give its members a unique opportunity to develop valuable leadership skills while familiarizing themselves with the democratic process through its excellent mock legislature program; and

WHEREAS, the Missouri Jaycees organization is planning to conduct its Thirty-third Annual Mock Legislature at our State Capitol during November 3, 4 and 5, 2000:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, hereby grant the Missouri Jaycees permission to use the House Chamber for the purpose of conducting its Thirty-third Annual Mock Legislature during the dates of November 3, 4 and 5, 2000.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 200**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 200

WHEREAS, the members of the Missouri House of Representatives deem it both proper and necessary to maintain a cooperative relationship between our state's governmental bodies and the legal system; and

WHEREAS, the General Assembly has a long tradition of granting the use of its House and Senate Chambers for the purposes of official functions:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, hereby grant the Eastern and Western District Federal Courts of Missouri permission to use the House Chamber for the purpose of swearing in newly-licensed members of the Missouri Bar on Friday, April 28, 2000, from 10:00 a.m. until 12:00 p.m. and on Friday, October 6, 2000, from 10:00 a.m. until 12:00 p.m.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HB 1394**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Municipal Corporations, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1705**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1413**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1848**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Public Health, Chairman Ladd Stokan reporting:

Mr. Speaker: Your Committee on Public Health, to which was referred **HCR 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 4

WHEREAS, macular degeneration is an eye disease that occurs when there are changes to the macula, which is a small portion of the retina that is located on the inside back layer of the eye, and results in a reduction of central vision and makes seeing details for close work, such as reading, difficult or impossible; and

WHEREAS, macular degeneration is the leading cause of blindness among older Americans, affecting ten million people today. The National Eye Institute estimates that the number could rise to eighteen million people by 2030; and

WHEREAS, there are two types of age-related macular degeneration. The wet form of macular degeneration, which involves only about ten percent of cases, responds to laser treatments in its early stages. The more common dry form is considered untreatable, although some recent research indicates that certain antioxidant vitamins and minerals may help prevent or slow its progression; and

WHEREAS, the exact cause of macular degeneration is unknown, but it may be related to aging, high blood pressure, smoking, and exposure to high levels of ultraviolet radiation and blue light, both found in sunlight; and

WHEREAS, ongoing research and studies have resulted in some encouraging early findings, such as the possible reversal of macular degeneration in its early stages; and

WHEREAS, the state of Missouri, through research, programs and funding, could facilitate the discovery and implementation of promising new treatments, technologies and programs for assistance for the benefit of those persons in the state who are afflicted with this disease:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, that a Joint Interim Committee of the General Assembly be created to be composed of five members of the House of Representatives, to be appointed by the Speaker of the House, with no more than three such members from the same political party, and five members of the Senate, appointed by the President Pro Tem of the Senate, with no more than three such members from the same political party, and that said committee be authorized to function during the interim between the Ninetieth and Ninety-first General Assemblies; and

BE IT FURTHER RESOLVED that said committee make a comprehensive study on macular degeneration, including the solicitation of information from appropriate state agencies and the public on the social, economic, educational and health implications of macular degeneration;

BE IT FURTHER RESOLVED that the committee be authorized to hold hearings as it deems advisable, and that the staffs of House Research, Senate Research and the Committee on Legislative Research provide such legal, research, clerical, technical and bill drafting services requested by the committee; and

BE IT FURTHER RESOLVED that the committee, its members, and any staff personnel assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the committee report its recommendations and findings to the Missouri General Assembly by January 1, 2001, and the authority of such committee shall terminate on December 31, 2000; and

BE IT FURTHER RESOLVED that the Chief Clerk of the of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Speaker of the House of Representatives and the President Pro Tem of the Senate.

Mr. Speaker: Your Committee on Public Health, to which was referred **HB 1336**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Public Health, to which was referred **HB 1711**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Public Safety and Law Enforcement, Chairman Kissell reporting:

Mr. Speaker: Your Committee on Public Safety and Law Enforcement, to which was referred **HB 1696, HB 1585, HB 1771, HB 1505 and HB 1665**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 23, introduced by Representative Bray, to create a Multistate Tax Compact Advisory Committee.

HCR 24, introduced by Representative Foster, urging Organization Petroleum Exporting Countries (OPEC) to release crude oil from the Strategic Petroleum Reserve.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2063, introduced by Representative Levin, et al, relating to income taxation.

HB 2064, introduced by Representative Skaggs, relating to sales and use tax exemption for aviation jet fuel for airlines headquartered in Missouri.

HB 2065, introduced by Representative Kreider, relating to contracts of political subdivisions.

HB 2066, introduced by Representative Kreider, relating to financial institution investment limits.

HB 2067, introduced by Representative Selby, relating to motor vehicle emissions inspections.

HB 2068, introduced by Representative Graham (106), relating to initiative petitions in fourth class cities.

HB 2069, introduced by Representative O'Toole, relating to a deferred retirement option program.

HB 2070, introduced by Representatives Hollingsworth and Gaw, relating to medical assistance for the aged, blind and disabled.

HB 2071, introduced by Representatives Ransdall, Hampton, Relford, Davis (122), Merideth, Koller, Leake, Wiggins and Berkowitz, et al, relating to immunity for landowners adjoining certain waterways.

HB 2072, introduced by Representatives Ridgeway and Tudor, et al, relating to security measures required for the commitment of persons acquitted for mental disease or defect.

HB 2073, introduced by Representative Skaggs, relating to certain police retirement systems.

HB 2074, introduced by Representative Champion, relating to deduction for annuities, pensions and retirement allowances.

HB 2075, introduced by Representative Patek, relating to nursing facility reimbursement allowance.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Barry is no longer a member of the Miscellaneous Bills and Resolutions Committee.

Representative Gambaro has been appointed Vice-Chair of the Miscellaneous Bills and Resolutions Committee.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 727**, entitled:

An act to repeal section 610.021, RSMo Supp. 1999, relating to records of municipal utilities, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 804**, entitled:

An act to repeal section 443.415, RSMo Supp. 1999, relating to mortgage insurers, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 816**, entitled:

An act to repeal section 169.070, RSMo Supp. 1999, relating to the public school retirement system, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

February 24, 2000

The Honorable Steve Gaw, Speaker
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request to withdraw **House Bill 2052** that I filed relating to funding for public transit.

Thank you for your assistance in this matter.

Sincerely,

/s/ Don Koller
State Representative
District 153

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, February 28, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-ninth Day, Wednesday, February 23, 2000, Page 371, line 23, by inserting immediately after said line the following:

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1254** and **HCS HB 1644**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Pages 370 and 371, roll call, by showing Representative Berkstresser voting "aye" rather than "absent with leave".

Page 374, roll call, by showing Representative Bennett voting "no" rather than "absent with leave".

Pages 376 and 377, roll call, by showing Representative Loudon voting "aye" rather than "no".

Pages 376 and 377, roll call, by showing Representative Elliott voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Monday, February 28, 2000, 12:00 pm. Hearing Room 3.

To be considered - HB 1102, HB 1107, HB 1110

BUDGET

Tuesday, February 29, 2000, 8:30 am. Hearing Room 3.

To be considered - HB 1102, HB 1103, HB 1107, HB 1110

BUDGET

Tuesday, February 29, 2000. Hearing Room 3 upon morning adjournment.

To be considered - HB 1102, HB 1103, HB 1110

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 1, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1664, HB 1897, HB 1904, HB 1929, HB 1997,

Executive Session - HB 1421, Executive Session - HB 1703, Executive Session - HB 1718

COMMERCE

Monday, February 28, 2000. Side gallery upon adjournment.

Other bills may be considered.

To be considered - Executive Session - HB 1357

CONSUMER PROTECTION AND HOUSING

Tuesday, February 29, 2000, 8:00 pm. Hearing Room 1.

Possible Executive Session to follow.

To be considered - HB 1281

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, February 29, 2000, 8:00 pm. Hearing Room 7.

To be considered - HB 1844, HB 1917, HB 1918, HB 1928

CRIMINAL LAW

Tuesday, February 29, 2000. Side gallery upon morning adjournment.

Executive Session.

CRIMINAL LAW

Wednesday, March 1, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1542, HB 1641, HB 1738, HB 1779, HB 1794, HB 1839, HB 1880, HB 1959

CRITICAL ISSUES

Monday, February 28, 2000, 8:00 pm. Hearing Room 3.

To be considered - HB 1090, HB 1150, HB 1200, HB 1747, HB 1940

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 29, 2000, 8:00 am. Hearing Room 7.

AMENDED NOTICE.

To be considered - HB 1379, HB 1549, HB 1784

ELECTIONS

Tuesday, February 29, 2000, 8:00 pm. Hearing Room 5.

Possible Executive Session.

To be considered - HB 1717

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, February 28, 2000. Side gallery upon evening adjournment.

Executive Session.

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASING OVERSIGHT

Monday, February 28, 2000, 2:00 pm. Hearing Room 7.

Potential changes to lease budget and process.

JUDICIARY

Tuesday, February 29, 2000. Hearing Room 5 upon morning adjournment.

Executive Session may follow. AMENDED NOTICE.

To be considered - HB 1477, HB 1493, HB 1580, HB 1937, HB 1968

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 29, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1587, HB 1838, HB 1900, HB 1944, HB 1953

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, February 29, 2000, 9:00 am. Hearing Room 6.

Executive Session will follow.

To be considered - HB 1949

RETIREMENT

Monday, February 28, 2000. Side gallery upon adjournment.

To be considered - HB 1914, Executive Session - HB 1356, Executive Session - HB 1558, Executive Session - HB 1764, Executive Session - HB 1777, Executive Session - HB 1847, Executive Session - HB 1914

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 29, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow.

To be considered - HB 1890, HB 1910, HB 1912, HB 1976

STATE PARKS, NATURAL RESOURCES AND MINING

Monday, February 28, 2000, 2:00 pm. Hearing Room 6.

Possible Executive Session. AMENDED NOTICE.

To be considered - HB 1320, HB 1342, HB 1924, HB 1961

UTILITIES REGULATION

Monday, February 28, 2000, 2:30 pm. Hearing Room 5.

Executive Session.

To be considered - HB 1326, HB 1414, HB 1415, HB 1878, HJR 53

WAYS AND MEANS

Tuesday, February 29, 2000. Hearing Room 6 upon morning adjournment.

Executive Session possible.

To be considered - HB 1618, HB 1622, HB 1666, HB 1834, HB 1864, HB 1882, HB 1886, HB 1901, HB 1933, HB 1938, HB 1960, HB 1971, HJR 58

HOUSE CALENDAR

THIRTY-FIRST DAY, MONDAY, FEBRUARY 28, 2000

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 23 and HCR 24

HOUSE BILLS FOR SECOND READING

HB 2063 through HB 2075

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1737, as amended, HSA1 for HA2 and HA2, pending - Monaco
- 2 HCS HB 1143 - Scheve
- 3 HB 1615 - Hosmer
- 4 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 5 HCS HB 1566 & 1810 - Bray
- 6 HCS HB 1386 & 1086 - Britt
- 7 HCS HB 1076 - Relford

- 8 HB 1238 - Hoppe
- 9 HCS HB 1242 - Treadway
- 10 HB 1472 - Smith
- 11 HCS HB 1434 - Skaggs
- 12 HCS HB 1481 - Smith
- 13 HCS HB 1305 - Rizzo
- 14 HCS HB 1574 & 1640 - Ladd Stokan

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HB 1082 - Crump
- 3 HCS HB 1602, as amended - Leake

HOUSE BILL FOR PERFECTION - CONSENT

(February 23, 2000)

HB 1335 - Scheve

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1254 - Kissell
- 2 HCS HB 1644, E.C. - Hagan-Harrell
- 3 HB 1443, (Fiscal Review 2-23-00) - Koller

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1376 - Farnen
- 2 HB 1292 - Auer
- 3 HB 1208 - Fitzwater
- 4 HB 1353 - Farnen
- 5 HB 1185 - Gratz
- 6 HB 1085 - Selby
- 7 HB 1396 - Farnen
- 8 HB 1097 - Hosmer
- 9 HB 1289 - Auer

SENATE BILLS FOR SECOND READING

- 1 SB 727
- 2 SB 804
- 3 SB 816

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTY-FIRST DAY, MONDAY, FEBRUARY 28, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Lord, another week has begun. We turn to You again as we begin. Instill in each of us renewed dedication. Distill all our comings and goings into some coherent pattern. Forestall those personal bickerings and any of our hankerings after glory into remembrance of what we do here – which is to serve the people You have seen fit to offer to us. May the deliberations of this day begin in our peaceful remembrance of Your compassionate presence and proceed towards a better Missouri for us all. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bishop George White and Lori Winkler.

Representative Crump moved for approval of the Journal of the thirtieth day.

Representative Marble raised an objection to the motion to approve the Journal, stating that the motions of Representatives Lakin, Ransdall and Relford, on page 390, were not valid motions.

The Chair requested the objection be submitted in writing.

Following the request of the chair, written objection was not received.

The Journal of the thirtieth day was approved as corrected by the following vote:

AYES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Bray 84	Britt	Campbell
Carter	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Graham 24	Gratz	Green	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murphy	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Stokan	Thompson	Treadway	Troupe

Van Zandt	Wagner	Ward	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 071

Alter	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reid	Reinhart	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Shields
Summers	Surface	Townley	Tudor	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Akin	Boykins	Gaskill	Gunn	Hoppe
Kasten	Secrest	Wiggins		

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 357	-	Representative Luetkemeyer
House Resolution No. 358	-	Representative Gaw
House Resolution No. 359	-	Representative Murphy
House Resolution No. 360	-	Representative Gunn
House Resolution No. 361	-	Representative Ford
House Resolution No. 362	-	Representatives Boucher and Harlan
House Resolution No. 363	-	Representative Green
House Resolution No. 364	-	Representative Boucher
House Resolution No. 365	-	Representatives Ross and Lograsso
House Resolution No. 366	-	Representative Hickey
House Resolution No. 367	-	Representative Cierpiot
House Resolution No. 368	-	Representative McBride

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 23 and **HCR 24** were read the second time.

SECOND READING OF HOUSE BILLS

HB 2063 through **HB 2075** were read the second time.

SECOND READING OF SENATE BILLS

SB 727, SB 804 and SB 816 were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HJR 61**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HB 1737, as amended, with House Substitute Amendment No. 1 for House Amendment No. 2 and House Amendment No. 2, pending, relating to long-term care insurance, was taken up by Representative Monaco.

Representative Monaco raised a point of order that the Gentleman from Greene District is out of order according to Rule 86.

The Chair ruled the point of order not well taken.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Ransdall assumed the Chair.

Representative Gaskill offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

House Amendment No. 2 was withdrawn.

Representative Marble offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1737, Page 3, Section 376.956, Line 9, by deleting the colon and adding after the word “care” the following:

“as well as any and all personal assets that may be relinquished to the department as a result of said program.”

Speaker Pro Tem Kreider resumed the Chair.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1737, Page 3, Section 376.956, Line 9, by deleting the colon and adding after the word “care” the following:

“as well as any and all information regarding asset qualifications for said program.”

On motion of Representative Monaco, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted by the following vote:

AYES: 152

Abel	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Burton
Carter	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Dolan

PRESENT: 000

ABSENT WITH LEAVE: 009

Akin	Boykins	Campbell	Gunn	Hoppe
Kasten	Pryor	Secrest	Wiggins	

VACANCIES: 001

Representative Luetkemeyer offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1737, Page 4, Section 376.956, Line 18, by deleting subsections 5 and 6 of said section and renumbering accordingly.

Representative Luetkemeyer moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 040

Barnett	Bartelsmeyer	Bennett	Berkstresser	Burton
Champion	Chrismer	Cierpiot	Dolan	Elliott
Evans	Foster	Froelker	Gaskill	Graham 106
Hanaway	Hartzler 123	Hartzler 124	Hendrickson	Hohulin
Holand	Kelley 47	King	Legan	Lograsso
Loudon	Luetkemeyer	McClelland	Myers	Naeger
Ostmann	Patek	Pouche 30	Purgason	Ridgeway
Schwab	Scott	Summers	Surface	Vogel

NOES: 109

Abel	Alter	Auer	Backer	Ballard
Barry 100	Bartle	Berkowitz	Black	Blunt
Boatright	Bonner	Boucher 48	Bray 84	Britt
Carter	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Gibbons	Graham 24
Gratz	Griesheimer	Gross	Hagan-Harrell	Hampton
Harlan	Hegeman	Hickey	Hilgemann	Hollingsworth
Hosmer	Howerton	Kelly 27	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Levin	Liese	Luetkenhaus	Marble
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Nordwald	O'Connor	O'Toole	Overschmidt	Parker
Phillips	Ransdall	Reid	Reinhart	Relford
Reynolds	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Wagner	Ward	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 013

Akin	Boykins	Campbell	Green	Gunn
Hoppe	Kasten	Linton	Long	Pryor
Richardson	Secrest	Wiggins		

VACANCIES: 001

HCS HB 1737, as amended, was laid over.

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1502**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1652** and **HB 1433**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HB 1454**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Municipal Corporations, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1698**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 1113, introduced by Representative Franklin, to appropriate money for real property leases, related services, utilities, and systems furniture; and structural modifications for new FTE for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2076, introduced by Representative Kissell, relating to individual income tax deductions for long-term health care insurance premiums.

HB 2077, introduced by Representative Dougherty, relating to the residential treatment of children in the custody of the division of family services.

HB 2078, introduced by Representative Berkowitz, et al, relating to the highway patrol's motor vehicle and aircraft revolving fund.

HB 2079, introduced by Representative Treadway, relating to regulation and licensing of landscape architects.

HB 2080, introduced by Representative Kennedy, relating to medical treatment facilities.

HB 2081, introduced by Representatives Hohulin and Burton, relating to illegal use or possession of controlled substances by educational personnel.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1114**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2000.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 29, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirtieth Day, Thursday, February 24, 2000, Page 387, lines 31 through 33, by deleting all of said lines and inserting in lieu of thereof the following:

SECOND READING OF SENATE BILLS

SCS SB 557, SB 573, SB 643, SCS SB 685, SCS SB 746, SCS SB 756, SCS SB 765, SB 821, SB 836, SB 877 and **SCS SB 883** were read the second time.

Pages 388 and 389, roll call, by showing Representatives Kissell and Luetkenhaus voting "aye" rather than "absent with leave".

Pages 389 and 390, roll call, by showing Representatives Barnett and Black voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 29, 2000. Hearing Room 3 upon evening adjournment.

Dept. of Corrections, Dept. of Social Services. Executive Session.

BUDGET

Tuesday, February 29, 2000, 8:30 am. Hearing Room 3.

AMENDED NOTICE.

To be considered - HB 1102, HB 1103, HB 1108

BUDGET

Tuesday, February 29, 2000, 1:00 pm. Hearing Room 3.

AMENDED NOTICE.

To be considered - HB 1102, HB 1103, HB 1108

BUDGET

Wednesday, March 1, 2000, 8:30 am. Hearing Room 3.

To be considered - HB 1103, HB 1108, HB 1112

BUDGET

Wednesday, March 1, 2000. Hearing Room 3 upon morning adjournment.

To be considered - HB 1108, HB 1110, HB 1112

CHILDREN, YOUTH AND FAMILIES

Tuesday, February 29, 2000. Side gallery upon morning adjournment.

Executive Session possible on other bills.

To be considered - Executive Session - HB 1865

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 1, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1664, HB 1897, HB 1904, HB 1929, HB 1997,

Executive Session - HB 1421, Executive Session - HB 1703, Executive Session - HB 1718

CONSUMER PROTECTION AND HOUSING

Tuesday, February 29, 2000, 8:00 pm. Hearing Room 1.

Possible Executive Session to follow.

To be considered - HB 1281

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, February 29, 2000, 8:00 pm. Hearing Room 7.

To be considered - HB 1844, HB 1917, HB 1918, HB 1928

CRIMINAL LAW

Tuesday, February 29, 2000. Side gallery upon morning adjournment.
Executive Session.

CRIMINAL LAW

Wednesday, March 1, 2000, 8:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 1542, HB 1641, HB 1738, HB 1779, HB 1794, HB 1839, HB 1880, HB 1959

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 29, 2000, 8:00 am. Hearing Room 7.
AMENDED NOTICE.
To be considered - HB 1379, HB 1549, HB 1784

EDUCATION - HIGHER

Wednesday, March 1, 2000. Hearing Room 5 upon morning adjournment.
To be considered - HB 1980, HB 2044, Executive Session - HB 1327, Executive Session - HB 1660,
Executive Session - HB 1893, Executive Session - HB 1916

ELECTIONS

Tuesday, February 29, 2000, 8:00 pm. Hearing Room 5.
Possible Executive Session. AMENDED NOTICE.
To be considered - HB 1717, HB 2031

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 1, 2000, 8:30 am. Hearing Room 5.
Possible Executive Session. AMENDED NOTICE.
To be considered - HB 1941

JUDICIARY

Tuesday, February 29, 2000. Hearing Room 5 upon morning adjournment.
Executive Session may follow. AMENDED NOTICE.
To be considered - HB 1477, HB 1493, HB 1580, HB 1937, HB 1968

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 29, 2000. Hearing Room 7 upon morning adjournment.
Executive Session will follow.
To be considered - HB 1557, HB 1793, HB 1930, HB 1931, HB 1979, HB 1990, HB 2011

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 1, 2000, 8:30 am. Hearing Room 6.
To be considered - HB 1092, HB 1632, HB 1720

MISSOURI TOBACCO SETTLEMENT

Wednesday, March 1, 2000, 8:00 am. Hearing Room 1.

To be considered - HB 1392

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 29, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1587, HB 1838, HB 1900, HB 1944, HB 1953

MUNICIPAL CORPORATIONS

Wednesday, March 1, 2000, 3:00 pm. Hearing Room 4.

To be considered - HB 1662, HB 2003, HB 2019, Executive Session - HB 1661,
Executive Session - HB 1915

PUBLIC HEALTH

Tuesday, February 29, 2000. Side gallery upon evening adjournment.

Executive Session. AMENDED NOTICE.

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, February 29, 2000, 9:00 am. Hearing Room 6.

Executive Session will follow.

To be considered - HB 1949

RETIREMENT

Wednesday, March 1, 2000, 8:00 pm. Hearing Room 1.

Discussion exclusively on retired teachers returning to work.

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 29, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow. AMENDED NOTICE.

To be considered - HB 1890, HB 1910, HB 1976

TRANSPORTATION

Wednesday, March 1, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - HB 1370, HB 1588, HB 1639, HB 1972, HB 1989, HJR 67

WAYS AND MEANS

Tuesday, February 29, 2000. Hearing Room 6 upon morning adjournment.

Executive Session possible.

To be considered - HB 1618, HB 1622, HB 1666, HB 1834, HB 1864, HB 1882, HB 1886, HB 1901,
HB 1933, HB 1938, HB 1960, HB 1971, HJR 58

HOUSE CALENDAR

THIRTY-SECOND DAY, TUESDAY, FEBRUARY 29, 2000

HOUSE BILLS FOR SECOND READING

HB 2076 through HB 2081

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1113

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1737, as amended - Monaco
- 2 HCS HB 1143 - Scheve
- 3 HB 1615 - Hosmer
- 4 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 5 HCS HB 1566 & 1810 - Bray
- 6 HCS HB 1386 & 1086 - Britt
- 7 HCS HB 1076 - Relford
- 8 HB 1238 - Hoppe
- 9 HCS HB 1242 - Treadway
- 10 HB 1472 - Smith
- 11 HCS HB 1434 - Skaggs
- 12 HCS HB 1481 - Smith
- 13 HCS HB 1305 - Rizzo
- 14 HCS HB 1574 & 1640 - Ladd Stokan

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HB 1082 - Crump
- 3 HCS HB 1602, as amended - Leake

HOUSE BILL FOR PERFECTION - CONSENT

(February 23, 2000)

HB 1335 - Scheve

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 61 - Van Zandt

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1254 - Kissell
- 2 HCS HB 1644, E.C. - Hagan-Harrell
- 3 HB 1443, (Fiscal Review 2-23-00) - Koller

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1376 - Farnen
- 2 HB 1292 - Auer
- 3 HB 1208 - Fitzwater
- 4 HB 1353 - Farnen
- 5 HB 1185 - Gratz
- 6 HB 1085 - Selby
- 7 HB 1396 - Farnen
- 8 HB 1097 - Hosmer
- 9 HB 1289 - Auer

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTY-SECOND DAY, TUESDAY, FEBRUARY 29, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Lord of all kindness, today may be a day when we say with the psalmist: "Those who harry me lie in wait for me all day, countless are those who attack me from the heights." (Psalm 56)

Rather, will You help to tune the instruments of our souls today to respond to that other harmonic - the inner presence of Your outstretched arm, beckoning serenity about our lives, our work, our world? In the affairs of this busy Tuesday, help to allay our fears and insecurities and sense also with the psalmist: "I put my trust in You, in God, whose word I praise, in God I put my trust and have no fear, what can mortal man do to me?" (Psalm 56)

May You be our God, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Cole Carter, Bettina Seidel, Kylie Marie Gough, Tiffany D. Mefford, Scott A. Utterback, Ryan J. Kendrick, Jennifer Lake, Todd Hurst, Chris Parks, Barbie Wallace, Cody Kadletz, Brett Dennis, Kevyn Hayes, Lucy Best, Beth Thompson, Matt Ziegler, J'lesa Hawkins, Christa Fenton, Dalton Mobley, Alexandra Bennett, Alexandra Lindsey, Lindsey Still, Mayor Errol S. Bush and Alderman John L. Bowman.

The Journal of the thirty-first day was approved as printed by the following vote:

AYES: 086

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Carter	Clayton	Crump	Curts
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Stokan	Thompson
Townley	Treadway	Troupe	Van Zandt	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Purgason	Reid	Reinhart	Richardson
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Tudor
Vogel	Wright			

PRESENT: 001

Ridgeway

ABSENT WITH LEAVE: 003

Kasten Pryor Wiggins

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 369 - Representative Monaco
House Resolution No. 370 - Representative Barry

SECOND READING OF HOUSE BILLS

HB 2076 through **HB 2081** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1113 was read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1114**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

PERFECTION OF HOUSE BILL

HCS HB 1737, as amended, relating to long-term care insurance, was taken up by Representative Monaco.

Representative Shields offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1737, Page 4, Section 376.956, Line 30, by adding after the line, the following:

“(9) Average attorney charges for will and probate services that relate to decisions regarding long-term care.”

Representative Parker assumed the Chair.

Speaker Pro Tem Kreider resumed the Chair.

Speaker Gaw assumed the Chair.

Speaker Pro Tem Kreider resumed the Chair.

HCS HB 1737, as amended, with House Amendment No. 4, pending, was laid over.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 148

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Carter	Champion	Chrismer	Cierpiot	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pryor	Purgason
Ransdall	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross

Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Stokan	Summers	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 001

Clayton

PRESENT: 002

Blunt Wright

ABSENT WITH LEAVE: 011

Auer	Bartelsmeyer	Gaskill	Kasten	Lograsso
Naeger	Nordwald	Pouche 30	Reid	Sallee
Surface				

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 371

and

House Resolution No. 372 - Representative Boucher

House Resolution No. 373 - Representative Gunn, et al

House Resolution No. 374 - Representative Howerton

PERFECTION OF HOUSE BILLS

HCS HB 1737, as amended, with House Amendment No. 4, pending, relating to long-term care insurance, was again taken up by Representative Monaco.

Speaker Pro Tem Kreider assumed the Chair.

Representative Shields moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Marble offered **House Amendment No. 5**.

Representative Monaco raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Purgason offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1737, Page 3, Section 376.956, Line 6, by deleting the word “and” and by inserting in lieu thereof the following:

“via the web site for the department, and in printed form for”.

Representative Gambaro assumed the Chair.

Speaker Pro Tem Kreider resumed the Chair.

Representative Purgason moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin	Alter	Ballard	Barnett	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Murphy	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

NOES: 084

Abel	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Campbell
Carter	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Stokan	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 005

Auer	Bartelsmeyer	Hartzler 123	Kasten	Luetkenhaus
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VACANCIES: 001

On motion of Representative Monaco, **HCS HB 1737, as amended**, was adopted.

On motion of Representative Monaco, **HCS HB 1737, as amended**, was ordered perfected and printed.

HCS HB 1143, relating to senior environmental corps, was taken up by Representative Scheve.

Representative Patek offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1143, Page 3, Section 640.852, Line 31, by adding after said line the following:

“No council members or corp volunteers shall be allowed to operate department motor vehicles licensed for the road.”

On motion of Representative Patek, **House Amendment No. 1** was adopted by the following vote:

AYES: 140

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Carter	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Elliott	Enz	Evans
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hampton	Hanaway	Hartzler 124
Hegeman	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Kreider	Lakin	Lawson	Legan	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Monaco
Murphy	Murray	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Parker	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Stokan
Summers	Surface	Thompson	Townley	Treadway
Tudor	Van Zandt	Vogel	Wagner	Ward
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 011

Ballard	Bartelsmeyer	Hagan-Harrell	Harlan	Hartzler 123
Koller	Leake	Levin	Myers	Wiggins
Williams 121				

PRESENT: 002

Farnen Riley

ABSENT WITH LEAVE: 009

Auer Dougherty Green Hickey Kasten
McLuckie O'Connor Patek Troupe

VACANCIES: 001

Representative Bartle offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1143, Page 1, Section 640.842, Line 1, by deleting said section and amending the title and enacting clause accordingly.

Representative Bartle moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Blunt	Boatright
Burton	Champion	Cierpiot	Dolan	Enz
Evans	Foster	Froelker	Gaskill	Graham 106
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kelley 47	King
Klindt	Legan	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	Miller	Murphy
Myers	Naeger	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reinhart	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

NOES: 081

Abel	Backer	Barry 100	Berkowitz	Black
Bonner	Boucher 48	Bray 84	Britt	Campbell
Carter	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Franklin	Fraser	Gibbons
Graham 24	Gratz	Griesheimer	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Levin
Liese	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Monaco	Murray
Nordwald	O'Toole	Parker	Ransdall	Reid
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Stokan	Thompson	Treadway	Van Zandt
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 018

Auer	Boykins	Chrismer	Elliott	Ford
Gambaro	George	Green	Gross	Kasten
Kelly 27	Luetkenhaus	O'Connor	Overschmidt	Richardson
Troupe	Wagner	Mr. Speaker		

VACANCIES: 001

HCS HB 1143, as amended, was laid over.

PERFECTION OF HOUSE BILL - INFORMAL

HB 1082, relating to federal land acquisition, was taken up and placed back on the Informal Calendar.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 2066 - Banks and Financial Institutions

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1806 - State Parks, Natural Resources and Mining

COMMITTEE REPORTS

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the **VETERANS CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo**.

TO: State Representative Robert Clayton

FROM: State Representatives Rich Chrismer, Carson Ross and Bill Boucher, and Senator Steve Stoll

DATE: January 13, 2000

RE: Veterans Caucus

In accordance with section 105.473.3(2)(c)d RSMo 1991, we are listing the following members of the General Assembly as members of the Veterans Caucus.

Representative	District #	Representative	District #
/s/ W. Todd Akin	86	/s/ Matt Blunt	139
/s/ Bill Alter	90	/s/ Dennis Bonner	51
/s/ Charles Ballard	140	/s/ Bill Boucher	48

/s/ Rich Chrismer	16	/s/ Patrick A. Naeger	155
/s/ Jon Dolan	13	/s/ Francis Overschmidt	110
/s/ Bill I. Foster	156	/s/ Kelly Parker	150
/s/ Richard Franklin	53	/s/ Jewell Patek	7
/s/ James V. Froelker	111	/s/ Fred Pouche	30
/s/ Sam Gaskill	131	/s/ David Reynolds	77
/s/ Thomas E. George	74	/s/ Estel Robirds	143
/s/ Roy W. Holand	135	/s/ Carson Ross	55
/s/ Carl H. Hendrickson	97	/s/ David Schwab	157
/s/ Maurice Lawson	29	/s/ James Seigfreid	26
/s/ Kenneth Legan	145	/s/ Bill Skaggs	31
/s/ William C. Linton	89	/s/ Chuck Surface	129
/s/ Denny Merideth III	162	/s/ Merrill M. Townley	112
/s/ Ronnie Miller	133	/s/ Bill Tudor	45
/s/ Jim Murphy	95		

Senators

/s/ Wayne Goode	13	/s/ John T. Russell	33
/s/ Jerry Howard	25	/s/ John D. Schneider	44
/s/ James Mathewson	21	/s/ Steve Stoll	22
/s/ Walt Mueller	15	/s/ Morris Westfall	28
/s/ Larry Rohrbach	6	/s/ Joe Maxwell	18

Mr. Speaker: Your Committee on Ethics, to which was referred the **ADDITIONS TO THE VETERANS CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

Additions to Veteran's Caucus

/s/ Rep. Mark Abel - 103	/s/ Rep. Vicky Hartzler - 124
/s/ Rep. Gracia Backer - 20	/s/ Rep. Thomas Hoppe - 46
/s/ Rep. Rex Barnett - 4	/s/ Rep. John Hickey - 80
/s/ Rep. Linda Bartelsmeyer - 132	/s/ Rep. Pat Kelley - 47
/s/ Rep. Matt Bartle - 56	/s/ Rep. Jerry King - 125
/s/ Rep. Sam Berkowitz - 1	/s/ Rep. Don Kissell - 17
/s/ Rep. Judy Berkstresser - 141	/s/ Rep. David Klindt - 3
/s/ Rep. Lanie Black - 161	/s/ Rep. Don Koller - 153
/s/ Rep. Gary Burton - 128	/s/ Rep. Jim Kreider - 142
/s/ Rep. Norma Champion - 134	/s/ Rep. Scott Lakin - 33
/s/ Rep. Connie J. Cierpiot - 52	/s/ Rep. Sam Leake - 9
/s/ Rep. Wayne Crump - 152	/s/ Rep. David Levin - 82
/s/ Rep. Patrick Dougherty - 67	/s/ Rep. Christopher Liese - 85
/s/ Rep. D. J. Davis - 122	/s/ Rep. Don Lograsso - 54
/s/ Rep. T. Mark Elliott - 127	/s/ Rep. Beth Long - 146
/s/ Rep. Brent Evans - 92	/s/ Rep. John Loudon - 88
/s/ Rep. Ted Farnen - 21	/s/ Rep. Blaine Luetkemeyer - 115
/s/ Rep. James Foley - 81	/s/ Rep. Gary Marble - 130
/s/ Rep. Derio Gambaro - 65	/s/ Rep. Ryan McKenna - 102
/s/ Rep. Michael R. Gibbons - 94	/s/ Rep. Ralph Monaco - 49
/s/ Rep. Chuck Graham - 24	/s/ Rep. Dana Murray - 69
/s/ Rep. Bill Gratz - 113	/s/ Rep. Peter Myers - 160
/s/ Rep. Wes Wagner - 104	/s/ Rep. Charles Nordwald - 19
/s/ Rep. Chuck Gross - 18	/s/ Rep. Patrick O'Connor - 79

/s/ Rep. Cindy Ostmann - 14
/s/ Rep. Susan Phillips - 32
/s/ Rep. Chuck Pryor - 116
/s/ Rep. Bill Ransdall - 148
/s/ Rep. Michael J. Reid - 78
/s/ Rep. Annie Reinhart - 34
/s/ Rep. Randall Relford - 6
/s/ Rep. Luann Ridgeway - 35
/s/ Rep. Delbert Scott - 119
/s/ Rep. Harold Selby - 105
/s/ Rep. Charles W. Shields - 28
/s/ Rep. Don Summers - 2

/s/ Rep. Dan Ward - 107
/s/ Rep. Gary Wiggins - 8
/s/ Rep. Deleta Williams - 121
/s/ Rep. Mark Wright - 137
/s/ Rep. Jim Graham - 106
/s/ Rep. Pat Secrest - 93
/s/ Rep. Jim Howerton - 120
/s/ Rep. Robert Clayton - 10
/s/ Sen. Doyle Childers - 29
/s/ Sen. Ted House - 2
/s/ Sen. Ronnie DePasco - 11

Senate Members of the newly established Veterans Caucus

/s/ Roseann Bentley
/s/ Francis E. Flotron
/s/ Steve Ehlmann
/s/ Sam Graves
/s/ Peter Kinder
/s/ Marvin Singleton

/s/ Bill Kenney
/s/ David Klarich
/s/ Betty Sims
/s/ Sarah Steelman
/s/ Anita Yeckel

February 23, 2000

The Honorable Robert Clayton
House Post Office
State Capitol Building
Jefferson City, MO 65101

Dear Robert:

I would like to become a member of the Veterans Caucus. If you need further information, please let me know.

Sincerely,

/s/ STEVE GAW
SPEAKER

Mr. Speaker: Your Committee on Ethics, to which was referred the **FAMILY FARM CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: Representative Robert Clayton, Chairman
House Ethics Committee

FROM: Representative David Klindt
Representative Maurice Lawson

DATE: January 26, 2000

RE: Family Farm Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 1998 and the rules of the Missouri House of Representatives, I would like for the following names be added to the Family Farm Caucus.

Please contact me at 751-1415, if you have any questions concerning this caucus organization.

/s/ Fred Pouche	30	/s/ Barbara Fraser	83
/s/ Bill Luetkenhaus	12	/s/ Rodger Fitzwater	36
/s/ David Reynolds	77	/s/ Jewel Patek	7
/s/ Bill Boucher	48	/s/ Mark C. Abel	103
/s/ Charles Nordwald	19	/s/ Harold R. Selby	105
/s/ Bill Linton	89	/s/ Vicky Riback Wilson	25
/s/ Dan Ward	107	/s/ Blaine Luetkemeyer	115
/s/ Cindy Ostmann	14	/s/ Chuck Pryor	116
/s/ Jon Dolan	13	/s/ Derio L. Gambaro	65
/s/ Luann Ridgeway	35	/s/ Chuck Gross	18

Mr. Speaker: Your Committee on Ethics, to which was referred the **HOUSE REPUBLICAN CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

To: Representative Robert Clayton, Chairman
House Ethics Committee

From: Representative Chuck Pryor
Republican Caucus Chairman

Date: February 9, 2000

Re: House Republican Caucus

Former Representative Bonnie Sue Cooper is no longer a member of the House of Representatives. I am requesting that her name be removed from the House Republican Caucus membership and that Representative Susan Phillips' name be added to the membership.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-4119 if you have any questions concerning this request.

/s/ Susan C. Phillips - 32

Mr. Speaker: Your Committee on Ethics, to which was referred the **LAW ENFORCEMENT CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

February 10, 2000

The Honorable Robert Clayton
Chairman, House Ethics Committee
Room 114C State Capitol Building
Jefferson City, Missouri

Dear Representative Clayton:

The following legislators have decided to become members of the Law Enforcement Caucus.

/s/ Bill Alter	90	/s/ Kelly Parker	150
/s/ Rex Barnett	4	/s/ Pat Naeger	155
/s/ Phil Britt	163	/s/ Jewell Patek	7
/s/ Wayne Crump	152	/s/ Bill Ransdall	148
/s/ Dorothea Davis	63	/s/ Randall Relford	6
/s/ Jon Dolan	13	/s/ David Reynolds	77
/s/ Mark Hampton	147	/s/ Mark Richardson	154
/s/ Craig Hosmer	138	/s/ Carson Ross	55
/s/ Don Kissell	17	/s/ Dan Ward	107
/s/ David Klindt	3	/s/ John Hickey	80
/s/ David Levin	82	/s/ Jim Kreider	142
/s/ Denny Merideth	162	/s/ Derio L. Gambaro	65
/s/ Dana Murray	69	/s/ Rich Chrismer	16

Sincerely,

Don R. Kissell
State Representative
District 17

Mr. Speaker: Your Committee on Ethics, to which was referred the **LEGISLATORS FOR A MODERATE AGENDA CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

January 26, 2000

The Honorable Tim Green
Representative, State of Missouri
Room 408A, Capitol Building
Jefferson City, MO 65101

Dear Representative Green:

This letter is to request permission to join the Legislators for a Moderate Agenda Caucus.

Please let me know if this is possible.

Thank you.

Sincerely,

/s/ Dan Ward
Representative
107th District

Mr. Speaker: Your Committee on Ethics, to which was referred the **T.R.U.T.H. CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

February 7, 2000

The Honorable Robert Clayton
Chairman, House Ethics Committee
Room 114C - State Capitol
Jefferson City, MO 65101

Dear Representative Clayton:

I am requesting that Linda Bartelsmeyer be added to the T.R.U.T.H. Caucus. Attached you will find a letter containing Representative Bartelsmeyer's signature.

Thank you.

Sincerely,

/s/ Don Lograsso

February 7, 2000

The Honorable Robert Clayton
Chairman, House Ethics Committee
Room 114C - State Capitol
Jefferson City, MO 65101

Dear Representative Clayton:

Pursuant to Section 105 of the Revised Statutes of Missouri, I request that my name be included in the T.R.U.T.H. (True Republicans United Through Honor) Caucus.

Thank you for your attention to this matter.

Sincerely,

/s/ Rep. Linda Bartelsmeyer
District 132

February 8, 2000

The Honorable Robert Clayton
Chairman, House Ethics Committee
Room 114C - State Capitol
Jefferson City, MO 65101

Dear Representative Clayton:

I am requesting that Catherine Enz be added to the T.R.U.T.H. Caucus. Attached you will find a letter containing Representative Enz's signature.

Thank you.

Sincerely,

/s/ Don Lograsso

February 8, 2000

Representative Robert Clayton, Chairman
House Ethics Committee
House Post Office, Room 114C
Jefferson City, Missouri 65101

Dear Representative Clayton:

I would like to join the T.R.U.T.H. Caucus. Please add my name to this caucus.

Sincerely,

/s/ Representative Catherine S. Enz
99th District

Committee on Federal-State Relations and Veterans Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred **HB 1157**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1157, Page 1, Section 42.150, Line 16, by inserting after all of said line the following:

"4. If a person eligible for such bonus is a resident in a nursing facility, such person shall receive the bonus directly and the nursing facility in which he or she is a resident shall not in any way have a legal claim to such bonus."

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 40**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HJR 53**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HB 1415**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2082, introduced by Representative Fraser, et al, relating to retention and recruitment of teachers.

HB 2083, introduced by Representatives Scheve, Days, Barry, Fraser and Boykins, relating to health insurance coverage.

HB 2084, introduced by Representatives Holand and Hanaway, relating to assistant attorneys general.

HB 2085, introduced by Representative Kennedy, relating to consolidation of state authorized agencies for the city of St. Louis into one entity.

HB 2086, introduced by Representative Clayton, relating to the retirement system for prosecuting and circuit attorneys.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Lograsso is no longer a member of the Consumer Protection and Housing Committee.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 789**, entitled:

An act to amend chapter 221, RSMo, by adding thereto one new section authorizing a sales tax for regional jail districts and associated court facilities, with an expiration date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 996**, entitled:

An act to repeal section 570.120, RSMo 1994, relating to stealing and related offenses, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 997**, entitled:

An act to repeal section 473.340, RSMo 1994, relating to trusts and estates, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 842**, entitled:

An act to amend chapter 321, RSMo, by adding thereto one new section relating to certain fire protection districts, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 868**, entitled:

An act to repeal section 249.470, RSMo Supp. 1999, relating to countywide wastewater treatment authorities, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 946**, entitled:

An act to repeal sections 59.310 and 59.313, RSMo 1994, relating to county recorders of deeds, and to enact in lieu thereof three new sections relating to the same subject, with an effective date.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, March 1, 2000.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 1, 2000, 1:00 pm. Hearing Room 7.

To be considered - HB 1811

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, March 1, 2000. Hearing Room 2A 2B upon morning adjournment.

Executive Session will follow.

To be considered - HB 1859, HB 2066

BUDGET

Wednesday, March 1, 2000, 8:00 am. Hearing Room 3. AMENDED NOTICE.
To be considered - HB 1102, HB 1103, HB 1108

BUDGET

Wednesday, March 1, 2000. Hearing Room 3 upon morning adjournment.
AMENDED NOTICE.
To be considered - HB 1102, HB 1103, HB 1108, HB 1112

BUDGET

Wednesday, March 1, 2000, 7:30 pm. Hearing Room 3.
To be considered - HB 1102, HB 1103, HB 1108, HB 1110, HB 1112

BUDGET

Thursday, March 2, 2000, 8:00 am. Hearing Room 3.
To be considered - HB 1108, HB 1110, HB 1112

BUDGET

Thursday, March 2, 2000. Hearing Room 3 upon morning adjournment.
To be considered - HB 1108, HB 1109, HB 1110, HB 1111, HB 1112

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 1, 2000. Hearing Room 1 upon morning adjournment.
To be considered - HB 1664, HB 1897, HB 1904, HB 1929, HB 1997, Executive Session - HB 1421,
Executive Session - HB 1703, Executive Session - HB 1718

CRIMINAL LAW

Wednesday, March 1, 2000, 8:00 pm. Hearing Room 7.
Executive Session may follow. AMENDED NOTICE.
To be considered - HB 1542, HB 1738, HB 1779, HB 1794, HB 1839, HB 1880, HB 1959

EDUCATION - HIGHER

Wednesday, March 1, 2000. Hearing Room 5 upon morning adjournment.
To be considered - HB 1980, HB 2044, Executive Session - HB 1327, Executive Session - HB 1660,
Executive Session - HB 1893, Executive Session - HB 1916

ENVIRONMENT AND ENERGY

Thursday, March 2, 2000, 8:00 am. Hearing Room 7.
Executive Session will follow.
To be considered - HB 2025, HB 2039

FISCAL REVIEW

Thursday, March 2, 2000, 8:30 am. Hearing Room 4.
Executive Session.
To be considered - HB 1443

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 1, 2000, 8:30 am. Hearing Room 5.

Possible Executive Session. AMENDED NOTICE.

To be considered - HB 1941

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 1, 2000, 8:30 am. Hearing Room 6.

To be considered - HB 1092, HB 1632, HB 1720

MISSOURI TOBACCO SETTLEMENT

Wednesday, March 1, 2000, 8:00 am. Hearing Room 1.

To be considered - HB 1392

MUNICIPAL CORPORATIONS

Wednesday, March 1, 2000. Hearing Room 4 upon morning adjournment.

AMENDED NOTICE.

To be considered - HB 1662, HB 2003, HB 2019, Executive Session - HB 1661,

Executive Session - HB 1915

RETIREMENT

Wednesday, March 1, 2000, 8:00 pm. Hearing Room 1.

Discussion exclusively on retired teachers returning to work. Tentative Executive Session.

AMENDED NOTICE.

STATE PARKS, NATURAL RESOURCES AND MINING

Wednesday, March 1, 2000. Room 302A upon evening adjournment.

Executive Session. AMENDED NOTICE.

To be considered - HB 1320, HB 1342, HB 1961

TRANSPORTATION

Wednesday, March 1, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - HB 1370, HB 1588, HB 1639, HB 1972, HB 1989, HJR 67

UTILITIES REGULATION

Thursday, March 2, 2000, 8:30 am. Hearing Room 6. Executive Session.

To be considered - HB 1878

HOUSE CALENDAR

THIRTY-THIRD DAY, WEDNESDAY, MARCH 1, 2000

HOUSE BILLS FOR SECOND READING

HB 2082 through HB 2086

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1143, as amended - Scheve
- 2 HB 1615 - Hosmer
- 3 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 4 HCS HB 1566 & 1810 - Bray
- 5 HCS HB 1386 & 1086 - Britt
- 6 HCS HB 1076 - Relford
- 7 HB 1238 - Hoppe
- 8 HCS HB 1242 - Treadway
- 9 HB 1472 - Smith
- 10 HCS HB 1434 - Skaggs
- 11 HCS HB 1481 - Smith
- 12 HCS HB 1305 - Rizzo
- 13 HCS HB 1574 & 1640 - Ladd Stokan

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HB 1082 - Crump
- 3 HCS HB 1602, as amended - Leake

HOUSE BILLS FOR PERFECTION - CONSENT

(February 23, 2000)

HB 1335 - Scheve

(March 1, 2000)

- 1 HB 1848 - Treadway
- 2 HB 1923 - Ransdall
- 3 HB 1875 - Franklin
- 4 HB 1802 - Monaco
- 5 HB 1544 - Smith
- 6 HB 1591 - Backer
- 7 HB 1739 - Auer
- 8 HB 1486 - Abel
- 9 HB 1509 - Hosmer
- 10 HB 1374 - Graham (24)
- 11 HB 1465 - Ransdall
- 12 HB 1706 - Gambaro
- 13 HB 1428 - Hickey
- 14 HB 1454 - Hoppe
- 15 HB 1604 - Graham (106)
- 16 HB 1568 - Riback Wilson (25)
- 17 HB 1596 - Auer

- 18 HB 1685 - Smith
- 19 HB 1948 - Gratz
- 20 HB 1825 - Klindt

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 61 - Van Zandt

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1254 - Kissell
- 2 HCS HB 1644, E.C. - Hagan-Harrell
- 3 HB 1443, (Fiscal Review 2-23-00) - Koller

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1376 - Farnen
- 2 HB 1292 - Auer
- 3 HB 1208 - Fitzwater
- 4 HB 1353 - Farnen
- 5 HB 1185 - Gratz
- 6 HB 1085 - Selby
- 7 HB 1396 - Farnen
- 8 HB 1097 - Hosmer
- 9 HB 1289 - Auer

SENATE BILLS FOR SECOND READING

- 1 SB 789
- 2 SCS SB 842
- 3 SCS SB 868
- 4 SB 946
- 5 SB 996
- 6 SB 997

HOUSE RESOLUTIONS

- 1 HR 169, (2-24-00, pg. 398) - Williams (121)
- 2 HR 200, (2-24-00, pg. 399) - Harlan
- 3 HR 173, (2-24-00, pg. 398) - Farnen
- 4 HR 33, (2-24-00, pg. 397) - Williams (121)
- 5 HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTY-THIRD DAY, WEDNESDAY, MARCH 1, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Our Gracious God, we pray for Your help. We know that prayer is not a substitute for work. And we are expected to do our work. And so we ask You to help us think clearly and to plan carefully.

As we work, give us a measure of patience fitting our need. As we plan, give us a measure of humility fitting humanity.

And in all we do, keep us listening to Your voice within our own hearts. Bless this House, and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Elaina Griffo, Danielle Griffo, Joshua Allen, Silas Allen, Emily Allen, Allison Gardner, Sarah Jo Grissom, Trisha Counce, Tonya Linton, Alison Walls, Jane Clare Maners, Jacob Van Ausdall and Brenton Miller.

The Journal of the thirty-second day was approved as corrected by the following vote:

AYES: 083

Abel	Auer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Campbell
Carter	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	George
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 075

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot

Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Backer	Gambaro	Kasten	Stokan
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 375 - Representative Barry
 House Resolution No. 376
 through
 House Resolution No. 378 - Representative Davis (63)
 House Resolution No. 379 - Representative Ostmann
 House Resolution No. 380 - Representative Lawson
 House Resolution No. 381 - Representative Hartzler (124)
 House Resolution No. 382 - Representative Shields

SECOND READING OF HOUSE BILLS

HB 2082 through **HB 2086** were read the second time.

SECOND READING OF SENATE BILLS

SB 789, **SCS SB 842**, **SCS SB 868**, **SB 946**, **SB 996** and **SB 997** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 1335**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1737**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HCS HB 1114** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 1114** was delivered to the Governor by the Chief Clerk of the House.

Speaker Pro Tem Kreider assumed the Chair.

PERFECTION OF HOUSE BILL - INFORMAL

HB 1082, relating to federal land acquisition, was taken up by Representative Crump.

Representative Bartle offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1082, Page 1, Section 12.010, Line 6, by inserting after the word “reforestation” the following:
“nuclear or toxic waste storage or disposal,”.

Representative Marble offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1

AMEND House Bill No. 1082, Page 1, Section 12.010, Line 6, by inserting after the word “reforestation” the following:
“nuclear or toxic waste storage or disposal, Native American gaming,”.

On motion of Representative Marble, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 140

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Britt	Burton	Campbell	Champion
Chrismer	Cierpiot	Crawford	Crump	Curts
Davis 122	Davis 63	Dolan	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hampton	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Linton

Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Troupe	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wright

NOES: 011

Boykins	Bray 84	Carter	Days	Dougherty
Fraser	Hagan-Harrell	Harlan	Liese	Schilling
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 011

Backer	Boucher 48	Clayton	Gambaro	Hanaway
Kasten	Scott	Stokan	Treadway	Tudor
Mr. Speaker				

VACANCIES: 001

Representative Graham (24) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 1082, Page 1, Section 12.010, Line 8, by inserting immediately after all of said line the following:

“Any land purchased through a federal flood buy-out program shall not require statutory authorization of the general assembly.”.

Representative Bartle offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

House Amendment No. 2 was withdrawn.

Representative Hosmer assumed the Chair.

Representative Hohulin offered **House Amendment No. 2.**

Representative Crump raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Speaker Pro Tem Kreider resumed the Chair.

The Chair ruled the point of order well taken.

On motion of Representative Crump, **HB 1082, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1841**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1225**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1966**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Elections, Chairman Days reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1872**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1367 (Revision)**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 1367, Page 1, In the Title, line 2, by striking the words "two hundred sixty-four" and inserting in lieu thereof the word "thirty-eight"; and

Further amend said bill, Page 1, Section A, Line 1, by striking the words "two hundred sixty-four" and inserting in lieu thereof the word "thirty-eight"; and

Further amend said bill, Pages 1 to 2, Section A, Lines 2 through 30, by striking all of said lines and inserting in lieu thereof the following:

"be known as sections 488.024, 488.027, 488.032, 488.035, 488.040, 488.045, 488.064, 488.426, 488.429, 488.432, 488.435, 488.445, 488.447, 488.470, 488.472, 488.473, 488.474, 488.607, 43.545, 488.627, 488.633, 488.635, 488.2250, 488.2253, 488.2275, 488.2300, 488.4014, 488.5017, 488.5320, 488.5332, 488.5334, 488.5336, 488.5339, 488.5342, 488.5345, 488.5356, 488.5358 and 488.6697, to read as follows:"; and

Further amend said bill, Page 3, Section 488.029, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Pages 3 and 4, Section 488.031, Lines 1 through 35, by striking all of said lines and related explanation; and

Further amend said bill, Page 6, Section 488.048, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Pages 6 and 7, Section 488.050, Lines 1 through 37, by striking all of said lines and related explanation; and

Further amend said bill, Pages 7 and 8, Section 488.053, Lines 1 through 37, by striking all of said lines and related explanation; and

Further amend said bill, Pages 8 and 9, Section 488.057, Lines 1 through 14, by striking all of said lines and related explanation; and

Further amend said bill, Pages 9 and 10, Section 488.061, Lines 1 through 22, by striking all of said lines and related explanation; and

Further amend said bill, Page 10, Section 488.063, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 10, Section 488.067, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Pages 10 and 11, Section 488.068, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 11, Section 488.070, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 11, Section 488.073, Lines 1 through 15, by striking all of said lines and related explanation; and

Further amend said bill, Pages 11 and 12, Section 488.340, Lines 1 through 24, by striking all of said lines and related explanation; and

Further amend said bill, Page 12, Section 488.343, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 12, Section 488.346, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Pages 12 and 13, Section 488.350, Lines 1 and 2, by striking all of said lines and related explanation; and

Further amend said bill, Page 13, Section 488.353, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 13, Section 488.356, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 13, Section 488.360, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 13, Section 488.363, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Pages 13 and 14, Section 488.366, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 14, Section 488.369, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 14, Section 488.372, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 14, Section 488.375, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 14, Section 488.378, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Pages 14 and 15, Section 488.381, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 15, Section 488.384, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 15, Section 488.387, Lines 1 through 16, by striking all of said lines and related explanation; and

Further amend said bill, Page 16, Section 488.390, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 16, Section 488.393, Lines 1 through 11, by striking all of said lines and related explanation; and

Further amend said bill, Pages 16 and 17, Section 488.396, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 17, Section 488.399, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 17, Section 488.402, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 17, Section 488.405, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 17, Section 488.408, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 18, Section 488.411, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 18, Section 488.414, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 18, Section 488.417, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Pages 18 and 19, Section 488.420, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 19, Section 488.423, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 21, Section 488.437, Lines 1 and 2, by striking all of said lines and related explanation; and

Further amend said bill, Page 21, Section 488.439, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Pages 21 and 22, Section 488.442, Lines 1 through 21, by striking all of said lines and related explanation; and

Further amend said bill, Page 23, Section 488.449, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Pages 23 and 24, Section 488.451, Lines 1 through 17, by striking all of said lines and related explanation; and

Further amend said bill, Page 24, Section 488.453, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 24, Section 488.457, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 25, Section 488.460, Lines 1 through 21, by striking all of said lines and related explanation; and

Further amend said bill, Pages 25 and 26, Section 488.462, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 26, Section 488.464, Lines 1 through 17, by striking all of said lines and related explanation; and

Further amend said bill, Pages 26 and 27, Section 488.465, Lines 1 through 19, by striking all of said lines and related explanation; and

Further amend said bill, Page 27, Section 488.466, Lines 1 through 11, by striking all of said lines and related explanation; and

Further amend said bill, Page 27, Section 488.467, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Pages 27 and 28, Section 488.468, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Pages 29 and 30, Section 488.475, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 30, Section 488.476, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 30, Section 488.477, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 30, Section 488.478, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 31, Section 488.479, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 31, Section 488.481, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 31, Section 488.483, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Pages 32 and 33, Section 488.612, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 33, Section 488.615, Lines 1 through 13, by striking all of said lines and related explanation; and

Further amend said bill, Page 33, Section 488.618, Lines 1 through 10, by striking all of said lines and related explanation; and

Further amend said bill, Pages 33 and 34, Section 488.625, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 34, Section 488.629, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Pages 34 and 35, Section 488.631, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 35, Section 488.632, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Pages 35 and 36, Section 488.1007, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 36, Section 488.1009, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 36, Section 488.1011, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Pages 36 and 37, Section 488.1014, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 37, Section 488.2207, Lines 1 through 11, by striking all of said lines and related explanation; and

Further amend said bill, Page 37, Section 488.2209, Lines 1 and 2, by striking all of said lines and related explanation; and

Further amend said bill, Page 37, Section 488.2212, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Pages 37 and 38, Section 488.2215, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Pages 38 and 39, Section 488.2225, Lines 1 through 50, by striking all of said lines and related explanation; and

Further amend said bill, Page 39, Section 488.2226, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Pages 40 and 41, Section 488.2255, Lines 1 through 18, by striking all of said lines and related explanation; and

Further amend said bill, Page 43, Section 488.2340, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 43, Section 488.3000, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Pages 43 and 44, Section 488.3005, Lines 1 through 14, by striking all of said lines and related explanation; and

Further amend said bill, Page 44, Section 488.3007, Lines 1 through 18, by striking all of said lines and related explanation; and

Further amend said bill, Pages 44 and 45, Section 488.3010, Lines 1 through 26, by striking all of said lines and related explanation; and

Further amend said bill, Pages 45 and 46, Section 488.3013, Lines 1 through 11, by striking all of said lines and related explanation; and

Further amend said bill, Page 46, Section 488.3017, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 46, Section 488.3023, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 46, Section 488.3027, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Pages 46 and 47, Section 488.3029, Lines 1 through 10, by striking all of said lines and related explanation; and

Further amend said bill, Page 47, Section 488.3031, Lines 1 through 22, by striking all of said lines and related explanation; and

Further amend said bill, Pages 47 and 48, Section 488.3032, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 48, Section 488.3034, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 48, Section 488.3035, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Pages 48 and 49, Section 488.3036, Lines 1 through 15, by striking all of said lines and related explanation; and

Further amend said bill, Page 49, Section 488.3038, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 49, Section 488.3039, Lines 1 through 10, by striking all of said lines and related explanation; and

Further amend said bill, Page 50, Section 488.4000, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 50, Section 488.4003, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 50, Section 488.4005, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Pages 50 and 51, Section 488.4006, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 51, Section 488.4009, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Pages 51 and 52, Section 488.4020, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 52, Section 488.4037, Lines 1 through 10, by striking all of said lines and related explanation; and

Further amend said bill, Page 52, Section 488.5010, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 53, Section 488.5020, Lines 1 through 13, by striking all of said lines and related explanation; and

Further amend said bill, Page 53, Section 488.5030, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 53, Section 488.5040, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 54, Section 488.5050, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 54, Section 488.5060, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 54, Section 488.5070, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 54, Section 488.5080, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Pages 54 and 55, Section 488.5090, Lines 1 through 14, by striking all of said lines and related explanation; and

Further amend said bill, Page 55, Section 488.5110, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Pages 55 and 56, Section 488.5120, Lines 1 through 20, by striking all of said lines and related explanation; and

Further amend said bill, Page 56, Section 488.5130, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 56, Section 488.5140, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 56, Section 488.5150, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 57, Section 488.5160, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 57, Section 488.5170, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 57, Section 488.5180, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Pages 57 and 58, Section 488.5190, Lines 1 through 12, by striking all of said lines and related explanation; and

Further amend said bill, Page 58, Section 488.5200, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Pages 58 and 59, Section 488.5210, Lines 1 through 13, by striking all of said lines and related explanation; and

Further amend said bill, Page 59, Section 488.5220, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 59, Section 488.5230, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Pages 59 and 60, Section 488.5240, Lines 1 through 15, by striking all of said lines and related explanation; and

Further amend said bill, Page 60, Section 488.5260, Lines 1 through 21, by striking all of said lines and related explanation; and

Further amend said bill, Pages 60 and 61, Section 488.5270, Lines 1 through 18, by striking all of said lines and related explanation; and

Further amend said bill, Page 61, Section 488.5280, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 61, Section 488.5290, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Pages 61 and 62, Section 488.5300, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 62, Section 488.5310, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 65, Section 488.5323, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Pages 65 and 66, Section 488.5325, Lines 1 through 41, by striking all of said lines and related explanation; and

Further amend said bill, Pages 66 and 67, Section 488.5327, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 70, Section 488.5347, Lines 1 through 10, by striking all of said lines and related explanation; and

Further amend said bill, Page 70, Section 488.5349, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Pages 70 and 71, Section 488.5352, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 71, Section 488.5355, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Pages 71 and 72, Section 488.6500, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 72, Section 488.6525, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Pages 72 and 73, Section 488.6540, Lines 1 through 19, by striking all of said lines and related explanation; and

Further amend said bill, Pages 73 and 74, Section 488.6543, Lines 1 through 52, by striking all of said lines and related explanation; and

Further amend said bill, Pages 74 and 75, Section 488.6545, Lines 1 through 11, by striking all of said lines and related explanation; and

Further amend said bill, Page 75, Section 488.6547, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 75, Section 488.6549, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Pages 75 and 76, Section 488.6551, Lines 1 through 24, by striking all of said lines and related explanation; and

Further amend said bill, Page 76, Section 488.6553, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Pages 76 and 77, Section 488.6555, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 77, Section 488.6557, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 77, Section 488.6561, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Pages 77 and 78, Section 488.6564, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 78, Section 488.6567, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Pages 78 and 79, Section 488.6569, Lines 1 through 21, by striking all of said lines and related explanation; and

Further amend said bill, Page 79, Section 488.6572, Lines 1 through 15, by striking all of said lines and related explanation; and

Further amend said bill, Pages 79 and 80, Section 488.6575, Lines 1 through 24, by striking all of said lines and related explanation; and

Further amend said bill, Page 80, Section 488.6578, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Pages 80 and 81, Section 488.6580, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 81, Section 488.6583, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 81, Section 488.6585, Lines 1 through 16, by striking all of said lines and related explanation; and

Further amend said bill, Pages 81 and 82, Section 488.6587, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 82, Section 488.6589, Lines 1 through 14, by striking all of said lines and related explanation; and

Further amend said bill, Pages 82 and 83, Section 488.6591, Lines 1 through 22, by striking all of said lines and related explanation; and

Further amend said bill, Pages 83 and 84, Section 488.6593, Lines 1 through 21, by striking all of said lines and related explanation; and

Further amend said bill, Pages 84 and 85, Section 488.6595, Lines 1 through 54, by striking all of said lines and related explanation; and

Further amend said bill, Pages 85 and 86, Section 488.6597, Lines 1 through 14, by striking all of said lines and related explanation; and

Further amend said bill, Page 86, Section 488.6599, Lines 1 through 11, by striking all of said lines and related explanation; and

Further amend said bill, Pages 86 and 87, Section 488.6601, Lines 1 through 27, by striking all of said lines and related explanation; and

Further amend said bill, Pages 87 and 88, Section 488.6604, Lines 1 through 26, by striking all of said lines and related explanation; and

Further amend said bill, Pages 88 and 89, Section 488.6607, Lines 1 through 18, by striking all of said lines and related explanation; and

Further amend said bill, Page 89, Section 488.6609, Lines 1 through 15, by striking all of said lines and related explanation; and

Further amend said bill, Page 89, Section 488.6612, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 90, Section 488.6614, Lines 1 through 18, by striking all of said lines and related explanation; and

Further amend said bill, Page 90, Section 488.6616, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Pages 90 and 91, Section 488.6618, Lines 1 through 20, by striking all of said lines and related explanation; and

Further amend said bill, Page 91, Section 488.6620, Lines 1 through 11, by striking all of said lines and related explanation; and

Further amend said bill, Pages 91 and 92, Section 488.6623, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 92, Section 488.6625, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 92, Section 488.6628, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Pages 92 and 93, Section 488.6629, Lines 1 through 11, by striking all of said lines and related explanation; and

Further amend said bill, Page 93, Section 488.6630, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 93, Section 488.6632, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Pages 93 and 94, Section 488.6634, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 94, Section 488.6635, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 94, Section 488.6637, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 94, Section 488.6639, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Pages 94 and 95, Section 488.6642, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 95, Section 488.6645, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 95, Section 488.6647, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Pages 95 and 96, Section 488.6649, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 96, Section 488.6652, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 96, Section 488.6654, Lines 1 through 12, by striking all of said lines and related explanation; and

Further amend said bill, Pages 96 and 97, Section 488.6655, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 97, Section 488.6656, Lines 1 through 14, by striking all of said lines and related explanation; and

Further amend said bill, Page 97, Section 488.6657, Lines 1 through 10, by striking all of said lines and related explanation; and

Further amend said bill, Page 98, Section 488.6658, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 98, Section 488.6659, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 98, Section 488.6661, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Pages 98 and 99, Section 488.6662, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 99, Section 488.6663, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 99, Section 488.6664, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 99, Section 488.6666, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 99, Section 488.6667, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Pages 99 and 100, Section 488.6669, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Page 100, Section 488.6671, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 100, Section 488.6672, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 100, Section 488.6673, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Pages 100 and 101, Section 488.6675, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 101, Section 488.6676, Lines 1 through 11, by striking all of said lines and related explanation; and

Further amend said bill, Pages 101 and 102, Section 488.6677, Lines 1 through 16, by striking all of said lines and related explanation; and

Further amend said bill, Page 102, Section 488.6678, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 102, Section 488.6679, Lines 1 through 11, by striking all of said lines and related explanation; and

Further amend said bill, Pages 102 and 103, Section 488.6680, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 103, Section 488.6682, Lines 1 through 18, by striking all of said lines and related explanation; and

Further amend said bill, Pages 103 and 104, Section 488.6684, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 104, Section 488.6688, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 104, Section 488.6689, Lines 1 through 12, by striking all of said lines and related explanation; and

Further amend said bill, Pages 104 and 105, Section 488.6694, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said bill, Page 105, Section 488.6695, Lines 1 through 3, by striking all of said lines and related explanation; and

Further amend said bill, Page 105, Section 488.6696, Lines 1 through 7, by striking all of said lines and related explanation; and

Further amend said bill, Pages 105 and 106, Section 488.6698, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Page 106, Section 488.7000, Lines 1 through 4, by striking all of said lines and related explanation; and

Further amend said bill, Page 106, Section 488.7005, Lines 1 through 9, by striking all of said lines and related explanation; and

Further amend said bill, Page 106, Section 488.7010, Lines 1 through 5, by striking all of said lines and related explanation; and

Further amend said bill, Pages 106 and 107, Section 488.7014, Lines 1 through 8, by striking all of said lines and related explanation; and

Further amend said bill, Page 107, Section 488.7019, Lines 1 through 6, by striking all of said lines and related explanation; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1077**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1808**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 25, introduced by Representative Bennett, relating to the Highways and Transportation Commission, within the limits set by the General Assembly, authorize the contracting of an indebtedness and the issuance of bonds for the purpose of providing funds for use in highway and bridge construction and repairs in the state.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2087, introduced by Representative Kennedy, relating to economic assistance for the promotion of business development.

HB 2088, introduced by Representative Schilling, relating to alternative fuel motor vehicles.

HB 2089, introduced by Representative Luetkemeyer, et al, relating to labor restrictions on offenders.

HB 2090, introduced by Representative Hagan-Harrell, relating to certain retirement systems.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 725**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to roadside maintenance.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 2, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-second Day, Tuesday, February 29, 2000, pages 422 and 423, roll call, by showing Representatives Bartelsmeyer, Naeger and Surface voting "aye" rather than "absent with leave".

Pages 425 and 426, roll call, by showing Representatives O'Connor and Patek voting "aye" rather than "absent with leave".

Pages 426 and 427, roll call, by showing Representatives George, Kelly (27) and O'Connor voting "no" rather than "absent with leave".

Pages 426 and 427, roll call, by showing Representatives Chrismer and Gross voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Thursday, March 2, 2000, 8:00 am. Hearing Room 3.

To be considered - HB 1108, HB 1110, HB 1112

BUDGET

Thursday, March 2, 2000. Hearing Room 3 upon morning adjournment.

To be considered - HB 1108, HB 1109, HB 1110, HB 1111, HB 1112

CRITICAL ISSUES

Monday, March 6, 2000, 7:30 pm. Hearing Room 3.

Executive Session may or may not follow.

To be considered - HB 1559, HB 1607, HB 1668, HB 1862, HB 1954, HCR 13

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, March 2, 2000. Side gallery upon adjournment.

Executive Session.

To be considered - HB 1183, HB 1713

EDUCATION - ELEMENTARY AND SECONDARY

Monday, March 6, 2000, 2:00 pm. Hearing Room 1.

To be considered - HB 1224, HB 1426, HB 1686, HB 1694, HB 1709, HB 1958

ENVIRONMENT AND ENERGY

Thursday, March 2, 2000, 8:00 am. Hearing Room 7.

Executive Session will follow.

To be considered - HB 2025, HB 2039

FISCAL REVIEW

Thursday, March 2, 2000, 8:30 am. Hearing Room 4.

Executive Session.

To be considered - HB 1443

GOVERNMENTAL ORGANIZATION AND REVIEW

Thursday, March 2, 2000. Side gallery upon morning adjournment.

To be considered - Executive Session - HB 1733

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, March 2, 2000, 9:30 am. Hearing Room 1.

Executive Session continued.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, March 2, 2000, 9:30 am. Side gallery.

To be considered - Executive Session - HB 1767

UTILITIES REGULATION

Thursday, March 2, 2000, 8:30 am. Hearing Room 6.

Executive Session. To be considered - HB 1878

HOUSE CALENDAR

THIRTY-FOURTH DAY, THURSDAY, MARCH 2, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 25

HOUSE BILLS FOR SECOND READING

HB 2087 through HB 2090

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1143, as amended - Scheve
- 2 HB 1615 - Hosmer
- 3 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 4 HCS HB 1566 & 1810 - Bray
- 5 HCS HB 1386 & 1086 - Britt
- 6 HCS HB 1076 - Relford
- 7 HB 1238 - Hoppe
- 8 HCS HB 1242 - Treadway
- 9 HB 1472 - Smith
- 10 HCS HB 1434 - Skaggs
- 11 HCS HB 1481 - Smith
- 12 HCS HB 1305 - Rizzo
- 13 HCS HB 1574 & 1640 - Ladd Stokan

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake

HOUSE BILLS FOR PERFECTION - CONSENT

(March 1, 2000)

- 1 HB 1848 - Treadway
- 2 HB 1923 - Ransdall
- 3 HB 1875 - Franklin
- 4 HB 1802 - Monaco
- 5 HB 1544 - Smith
- 6 HB 1591 - Backer
- 7 HB 1739 - Auer
- 8 HB 1486 - Abel
- 9 HB 1509 - Hosmer
- 10 HB 1374 - Graham (24)
- 11 HB 1465 - Ransdall
- 12 HB 1706 - Gambaro
- 13 HB 1428 - Hickey
- 14 HB 1454 - Hoppe
- 15 HB 1604 - Graham (106)
- 16 HB 1568 - Riback Wilson (25)
- 17 HB 1596 - Auer
- 18 HB 1685 - Smith
- 19 HB 1948 - Gratz
- 20 HB 1825 - Klindt

(March 2, 2000)

- 1 HB 1077 - Relford
- 2 HB 1808 - O'Toole

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 61 - Van Zandt

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1254 - Kissell
- 2 HCS HB 1644, E.C. - Hagan-Harrell
- 3 HB 1443, (Fiscal Review 2-23-00) - Koller
- 4 HCS HB 1737 - Monaco

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1376 - Farnen
- 2 HB 1292 - Auer
- 3 HB 1208 - Fitzwater
- 4 HB 1353 - Farnen
- 5 HB 1185 - Gratz
- 6 HB 1085 - Selby
- 7 HB 1396 - Farnen
- 8 HB 1097 - Hosmer
- 9 HB 1289 - Auer
- 10 HB 1335 - Scheve

SENATE BILL FOR SECOND READING

SB 725

HOUSE RESOLUTIONS

- 1 HR 169, (2-24-00, pg. 398) - Williams (121)
- 2 HR 200, (2-24-00, pg. 399) - Harlan
- 3 HR 173, (2-24-00, pg. 398) - Farnen
- 4 HR 33, (2-24-00, pg. 397) - Williams (121)
- 5 HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTY-FOURTH DAY, THURSDAY, MARCH 2, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

God be in my head, and in my understanding; God be in my eyes, and in my looking; God be in my mouth, and in my speaking; God be in my heart, and in my thinking; God be at my end, and at my departing. (Book of Hours, 1514 AD)

Bless this House, O Lord. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Phillip Simpson, Alissa Mehmert, Stephanie Giboney, Aimee Schollmeyer, Kristina Staley, Christine L. Selby, David R. Selby, Shane T. Hughes, Zachary Jackson and Xavier Brown.

The Journal of the thirty-third day was approved as corrected by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Carter	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 072

Akin	Alter	Ballard	Barnett	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kelley 47
King	Klindt	Legan	Levin	Linton

Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Townley	Tudor
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 005

Bartelsmeyer	Kasten	Stokan	Summers	Surface
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VACANCIES: 001

RESOLUTION

House Resolution No. 204 was taken up by Representative Selby and read.

House Resolution No. 204

WHEREAS, Cedar Springs Elementary School in House Springs, Missouri, distinguished itself by making the Top Ten list of more than 200 public schools in Missouri that posted the highest scores in the state last year on one or more parts of the Missouri Assessment Program (MAP) exams; and

WHEREAS, Cedar Springs Elementary School in the Northwest R-I School District placed first in the "Top Ten Highest-Performing Schools" in the subject area of third grade science after students successfully completed the MAP exam which consisted of a multiple-choice section, a short-answer section, and an open-ended "performance" section, where they applied their knowledge and demonstrated their problem-solving skills by writing paragraphs, creating charts and diagrams, and displaying their calculations on math questions; and

WHEREAS, administrators at Cedar Springs Elementary School learned of their school's achievement following the release of a special report prepared by the Missouri Department of Elementary and Secondary Education that consisted of a "Top Ten" list for twenty-seven separate categories which charts the schools' performance in the three subject areas in which the MAP exams were required in 1999 (communication arts, math, and science); three grade levels (elementary, middle school/junior high, high school); and three size divisions (under 250 students, 250-500 students, and more than 500 students); and

WHEREAS, 85 percent of Cedar Springs Elementary students scored at the "Proficient" and "Advanced" levels on the 1999 MAP in Grade 3 Elementary Science; and

WHEREAS, special words of commendation go out to the Third Grade Team, Mariann Jones, Al Luaders, Cathy Wittrock, Carolyn Gassett, Brooke Bailey, Vicki Thompson and to all the students, faculty and staff at Cedar Springs Elementary School for the tireless commitment they demonstrated to attain this high level of academic success; and

WHEREAS, Cedar Springs Elementary School continues an outstanding tradition of excellence by providing Missouri's youngest citizens with a quality education under the competent leadership of Ms. Faye Parkinson, principal:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, unanimously join in extending our most hearty congratulations and best wishes to Cedar Springs Elementary School at this proud moment of well-deserved distinction; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Cedar Springs Elementary School in House Springs.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 383 - Representative Klindt
House Resolution No. 384 - Representative Legan
House Resolution No. 385 - Representative Barry
House Resolution No. 386 - Representative Leake
House Resolution No. 387 - Representative Legan
House Resolution No. 388
through
House Resolution No. 391 - Representative Crump
House Resolution No. 392 - Representative Hartzler (124)
House Resolution No. 393 - Representative Murphy
House Resolution No. 394
through
House Resolution No. 420 - Representatives Murphy, Enz and Hendrickson
House Resolution No. 421 - Representative Kennedy
House Resolution No. 422 - Representatives Vogel and Gratz
House Resolution No. 423
through
House Resolution No. 425 - Representative Lawson
House Resolution No. 426 - Representative Champion
House Resolution No. 427
through
House Resolution No. 437 - Representative Murphy
House Resolution No. 438
through
House Resolution No. 451 - Representatives Murphy and Enz
House Resolution No. 452
through
House Resolution No. 464 - Representatives Enz and Hendrickson

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 25 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2087 through **HB 2090** were read the second time.

SECOND READING OF SENATE BILL

SB 725 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1082**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1443 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE JOINT RESOLUTION

HS HCS HJR 61, relating to tobacco settlement, was taken up by Representative Van Zandt.

Representative Backer assumed the Chair.

Speaker Pro Tem Kreider resumed the Chair.

Speaker Gaw assumed the Chair.

On motion of Representative Van Zandt, **HS HCS HJR 61** was read the third time and passed by the following vote:

AYES: 087

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Carter	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Monaco	Murray	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Ransdall	Reid	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 067

Akin	Alter	Ballard	Barnett	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Graham 106	Griesheimer	Gross

Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kelley 47	King	Klindt
Legan	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	Patek	Phillips
Pouche 30	Pryor	Purgason	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Townley	Tudor
Vogel	Wright			

PRESENT: 001

Levin

ABSENT WITH LEAVE: 007

Bartelsmeyer	Gibbons	Holand	Kasten	Stokan
Summers	Surface			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Ward, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 23 - Ways and Means

HCR 24 - Miscellaneous Bills and Resolutions

HCR 25 - Transportation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 2046 - Children, Youth and Families

HB 2047 - Professional Registration and Licensing

HB 2048 - Education - Higher

HB 2049 - Professional Registration and Licensing

HB 2050 - Public Health

HB 2051 - Professional Registration and Licensing

HB 2053 - Local Government and Related Matters

HB 2054 - Retirement

HB 2055 - Correctional and State Institutions

HB 2056 - Motor Vehicle and Traffic Regulations
HB 2057 - Consumer Protection and Housing
HB 2058 - Education - Elementary and Secondary
HB 2059 - Local Government and Related Matters
HB 2060 - Judiciary
HB 2061 - Local Government and Related Matters
HB 2062 - Education - Higher
HB 2063 - Ways and Means
HB 2065 - Local Government and Related Matters
HB 2067 - Environment and Energy
HB 2068 - Local Government and Related Matters
HB 2069 - Retirement
HB 2070 - Social Services, Medicaid and the Elderly
HB 2071 - Judiciary
HB 2072 - Public Health
HB 2073 - Retirement
HB 2074 - Ways and Means
HB 2075 - Social Services, Medicaid and the Elderly

COMMITTEE REPORTS

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1578**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Governmental Organization and Review, Chairman Barry reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1728**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 1728, Page 4, Section 34.072, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"34.072. The state shall grant or award at least thirty percent of all contracts to Missouri based businesses."; and

Further amend said title, enacting clause and intersectional references accordingly.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1095**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1499**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1579**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1631**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1647**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1967**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 2011**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HB 1797**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1767, HB 1078, HB 1093, HB 1147, HB 1170, HB 1180, HB 1193, HB 1194, HB 1210, HB 1219, HB 1251, HB 1315, HB 1399, HB 1432, HB 1513, HB 1515, HB 1715, HB 1783** and **HB 1944**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Public Health, Chairman Ladd Stokan reporting:

Mr. Speaker: Your Committee on Public Health, to which was referred **HB 1422**, **HB 1199**, **HB 1411**, **HB 1754** and **HB 1947**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Public Health, to which was referred **HB 1489**, **HB 1488** and **HB 1650**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on State Parks, Natural Resources and Mining, Chairman McBride reporting:

Mr. Speaker: Your Committee on State Parks, Natural Resources and Mining, to which was referred **HB 1342**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on State Parks, Natural Resources and Mining, to which was referred **HB 1961**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Ladd Stokan is no longer a member of the Critical Issues Committee.

Representative Fraser has been appointed a member of the Critical Issues Committee.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 73, introduced by Representatives Selby, Luetkenhaus, Kelley (47), Cierpiot, O'Connor, Burton and Reynolds, et al, relating to the powers of the general assembly to appropriate funds received by the state as a result of any legal settlement or award related to tobacco-related products.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2091, introduced by Representative Riback Wilson (25), relating to landlord and tenant.

HB 2092, introduced by Representatives Overschmidt, Gaw, Smith, Williams (159) and Green, et al, relating to penalties for late payments by state agencies.

HB 2093, introduced by Representative Griesheimer, relating to road district reports.

HB 2094, introduced by Representative Lakin, relating to day care expenses.

HB 2095, introduced by Representatives Wilson (42), Riley, Scheve, Riback Wilson (25), Curls, Thompson and Fraser, et al, relating to unlawful distribution of firearms.

HB 2096, introduced by Representatives Thompson, Wilson (42), Curls, Smith, Selby, Carter, Riley and Days, et al, relating to home loans.

HB 2097, introduced by Representatives Thompson, Curls and Riley, relating to the department of corrections.

HB 2098, introduced by Representatives Merideth, Myers, Van Zandt and Britt, et al, relating to peace officers.

HB 2099, introduced by Representatives Gaskill and Secrest, relating to prohibiting possession of tobacco products by minors.

HB 2100, introduced by Representatives Selby, Luetkenhaus, Kelley (47), Cierpiot, O'Connor, Burton and Reynolds, et al, relating to tobacco.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE
MARCH 2, 2000

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
SECOND REGULAR SESSION
90TH GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 1114** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2000.

On March 2, 2000, I approved said **House Committee Substitute for House Bill No. 1114**.

Respectfully submitted,

/s/ Mel Carnahan
Governor

COMMUNICATION

March 2, 2000

The Honorable Steve Gaw
Missouri House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Speaker Gaw:

A very close family friend, Tom Allen, passed away on Tuesday, February 29, 2000 and his funeral service is at 4:00 p.m. today.

I must leave the Capitol by 1:45 p.m. in order to attend this service. I respectfully request that in the event any votes are taken after my departure that I be shown absent with leave.

Thank you.

Yours truly,

/s/ Michael R. Gibbons

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, March 6, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-third Day, Wednesday, March 1, 2000, pages 442 and 443, roll call, by showing Representative Tudor voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Monday, March 6, 2000, 12:00 pm. Hearing Room 3.

To be considered - HB 1109, HB 1111

BUDGET

Tuesday, March 7, 2000, 8:00 am. Hearing Room 3.

Possible Executive Session to follow.

To be considered - HB 1109, HB 1111

BUDGET

Tuesday, March 7, 2000. Hearing Room 3 upon morning adjournment.

Possible Executive Session to follow.

To be considered - HB 1109, HB 1111

BUDGET

Wednesday, March 8, 2000, 8:00 am. Hearing Room 3.
Executive Session on FY 2001 budget.

BUDGET

Wednesday, March 8, 2000. Hearing Room 3 upon morning adjournment.
Executive Session on FY 2001 budget.

BUDGET

Thursday, March 9, 2000, 8:00 am. Hearing Room 3.
Executive Session on FY 2001 budget.

CHILDREN, YOUTH AND FAMILIES

Wednesday, March 8, 2000, 7:30 pm. Hearing Room 6.
Executive Session may follow.
To be considered - HB 1187, HB 1819, HB 1943, HB 1946, HB 1962

CRIMINAL LAW

Wednesday, March 8, 2000, 8:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 1528, HB 1851, HB 1920, HB 2010

CRITICAL ISSUES

Monday, March 6, 2000, 7:30 pm. Hearing Room 3.
Executive Session may or may not follow.
To be considered - HB 1559, HB 1607, HB 1668, HB 1862, HB 1954, HCR 13

EDUCATION - ELEMENTARY AND SECONDARY

Monday, March 6, 2000, 2:00 pm. Hearing Room 1.
To be considered - HB 1224, HB 1426, HB 1686, HB 1694, HB 1709, HB 1958

JUDICIARY

Tuesday, March 7, 2000. Hearing Room 5 upon morning adjournment.
Executive Session may follow.
To be considered - HB 1438, HB 1539, HB 1575, HB 1805, HB 1978

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 7, 2000. Hearing Room 1 upon morning adjournment.
To be considered - HB 1722, HB 1885, HB 1900

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, March 7, 2000, 9:00 am. Hearing Room 6.
To be considered - HB 1889, HB 1987, HB 2009, Executive Session - HB 1757

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 7, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow.

To be considered - HB 2000, HB 2020, HB 2021

WAYS AND MEANS

Wednesday, March 8, 2000. Hearing Room 4 upon afternoon adjournment.

Executive Session may follow.

To be considered - HB 1448, HB 1498, HB 1861, HB 1956, HB 1963, HB 1983

HOUSE CALENDAR

THIRTY-FIFTH DAY, MONDAY, MARCH 6, 2000

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 73

HOUSE BILLS FOR SECOND READING

HB 2091 through HB 2100

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1143, as amended - Scheve
- 2 HB 1615 - Hosmer
- 3 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 4 HCS HB 1566 & 1810 - Bray
- 5 HCS HB 1386 & 1086 - Britt
- 6 HCS HB 1076 - Relford
- 7 HB 1238 - Hoppe
- 8 HCS HB 1242 - Treadway
- 9 HB 1472 - Smith
- 10 HCS HB 1434 - Skaggs
- 11 HCS HB 1481 - Smith
- 12 HCS HB 1305 - Rizzo
- 13 HCS HB 1574 & 1640 - Ladd Stokan
- 14 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 15 HCS HB 1652 & 1433 - Hoppe
- 16 HB 1603, HCA 1 and HCA 2 - O'Connor
- 17 HCS HB 1711 - Abel
- 18 HCS HB 1797 - Gratz
- 19 HCS HB 1569 - Bray
- 20 HCS HB 1932 - Harlan

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake

HOUSE BILLS FOR PERFECTION - CONSENT

(March 1, 2000)

- 1 HB 1848 - Treadway
- 2 HB 1923 - Ransdall
- 3 HB 1875 - Franklin
- 4 HB 1802 - Monaco
- 5 HB 1544 - Smith
- 6 HB 1591 - Backer
- 7 HB 1739 - Auer
- 8 HB 1486 - Abel
- 9 HB 1509 - Hosmer
- 10 HB 1374 - Graham (24)
- 11 HB 1465 - Ransdall
- 12 HB 1706 - Gambaro
- 13 HB 1428 - Hickey
- 14 HB 1454 - Hoppe
- 15 HB 1604 - Graham (106)
- 16 HB 1568 - Riback Wilson (25)
- 17 HB 1596 - Auer
- 18 HB 1685 - Smith
- 19 HB 1948 - Gratz
- 20 HB 1825 - Klindt

(March 2, 2000)

- 1 HB 1077 - Relford
- 2 HB 1808 - O'Toole

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1254 - Kissell
- 2 HCS HB 1644, E.C. - Hagan-Harrell
- 3 HB 1443, (Fiscal Review 2-23-00) - Koller
- 4 HCS HB 1737 - Monaco
- 5 HB 1082 - Crump

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1376 - Farnen
- 2 HB 1292 - Auer
- 3 HB 1208 - Fitzwater
- 4 HB 1353 - Farnen
- 5 HB 1185 - Gratz
- 6 HB 1085 - Selby
- 7 HB 1396 - Farnen
- 8 HB 1097 - Hosmer
- 9 HB 1289 - Auer
- 10 HB 1335 - Scheve

HOUSE RESOLUTIONS

- 1 HR 169, (2-24-00, pg. 398) - Williams (121)
- 2 HR 200, (2-24-00, pg. 399) - Harlan
- 3 HR 173, (2-24-00, pg. 398) - Farnen
- 4 HR 33, (2-24-00, pg. 397) - Williams (121)
- 5 HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTY-FIFTH DAY, MONDAY, MARCH 6, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Almighty God, in this new week of service to each other and to You, help this House to answer even more fully the question, "What are the virtues of good governance?"

May our Representatives' hearts be pure and their minds clear, their purpose arise from inner strength and dedication, their goals in line with justice and truth. As this legislative session reaches its halfway time, give us all the courage to stay the course on the high road of impartiality and fair dealing, in all we do, plan, speak, and legislate. Facilitate this House, God of all that is good, today into all tomorrow. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emily Vesser and Sylvia Price.

The Journal of the thirty-fourth day was approved as printed by the following vote:

AYES: 081

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Bray 84	Britt	Campbell
Carter	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	George
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hosmer
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 068

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Cierpiot	Crawford
Enz	Foster	Froelker	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kelley 47	King	Klindt	Legan

Levin	Linton	Long	Loudon	Luetkemeyer
Marble	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 013

Boykins	Burton	Dolan	Elliott	Evans
Gambaro	Hollingsworth	Hoppe	Kasten	Lograsso
McClelland	Stokan	Surface		

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 465 - Representative Liese
 House Resolution No. 466 - Representative Naeger
 House Resolution No. 467 - Representative Secrest
 House Resolution No. 468 - Representatives Bray, Fraser and Thompson
 House Resolution No. 469 - Representative Relford
 House Resolution No. 470 - Representative Ballard
 House Resolution No. 471 - Representative Graham (106)

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 73 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2091 through **HB 2100** were read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1376, relating to new member visitation, was taken up by Representative Farnen.

On motion of Representative Farnen, **HB 1376** was read the third time and passed by the following vote:

AYES: 144

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Campbell
Carter	Champion	Chrismer	Cierpiot	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Enz	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123

Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Murphy Reid

PRESENT: 000

ABSENT WITH LEAVE: 016

Backer	Boykins	Burton	Clayton	Dolan
Elliott	Evans	Gambaro	Hollingsworth	Hoppe
Kasten	Lograsso	McClelland	Overschmidt	Stokan
Surface				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Davis (122) moved that the vote by which the bill passed be reconsidered.

Representative Hickey moved that motion lay on the table.

The latter motion prevailed.

HB 1292, relating to health insurance, was taken up by Representative Auer.

Representative Auer moved that **HB 1292** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 081

Abel	Auer	Barry 100	Berkowitz	Berkstresser
Blunt	Bonner	Boucher 48	Bray 84	Britt
Campbell	Carter	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Franklin	Fraser	George	Graham 106	Graham 24
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hendrickson	Hickey	Hosmer
Howerton	Kelly 27	Kennedy	Kissell	Koller

Kreider	Lakin	Leake	Levin	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
O'Connor	O'Toole	Parker	Ransdall	Reinhart
Relford	Reynolds	Riley	Rizzo	Schilling
Seigfreid	Selby	Skaggs	Smith	Thompson
Townley	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 013

Akin	Alter	Bartelsmeyer	Bartle	Bennett
Clayton	Gaskill	Hanaway	Murphy	Purgason
Reid	Ross	Shelton		

PRESENT: 017

Crawford	Enz	Foster	Gibbons	Hartzler 124
King	Loudon	Naeger	Patek	Phillips
Ridgeway	Secrest	Shields	Summers	Tudor
Williams 121	Wright			

ABSENT WITH LEAVE: 051

Backer	Ballard	Barnett	Black	Boatright
Boykins	Burton	Champion	Chrismer	Cierpiot
Dolan	Elliott	Evans	Foley	Ford
Froelker	Gambaro	Green	Hartzler 123	Hegeman
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Kasten	Kelley 47	Klindt	Lawson	Legan
Linton	Lograsso	Long	Luetkemeyer	Marble
McClelland	Myers	Nordwald	Ostmann	Overschmidt
Pouche 30	Pryor	Richardson	Robirds	Sallee
Scheve	Schwab	Scott	Stokan	Surface
Vogel				

VACANCIES: 001

HB 1208, relating to probate, was taken up by Representative Fitzwater.

Representative Fitzwater moved that **HB 1208** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 081

Abel	Auer	Barry 100	Berkowitz	Bonner
Boucher 48	Bray 84	Britt	Campbell	Carter
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	George	Graham 24
Gratz	Green	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hendrickson	Hickey	Hilgemann
Holand	Hosmer	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Tudor	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 055

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Cierpiot	Enz
Foster	Froelker	Gaskill	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 124	Hegeman	Hohulin
Howerton	Kelley 47	King	Klindt	Levin
Long	Loudon	Luetkemeyer	Marble	Miller
Myers	Nordwald	Ostmann	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Townley	Vogel

PRESENT: 010

Crawford	Gibbons	Legan	Linton	Murphy
Naeger	Patek	Ridgeway	Troupe	Wright

ABSENT WITH LEAVE: 016

Backer	Boykins	Burton	Dolan	Elliott
Evans	Gambaro	Hollingsworth	Hoppe	Kasten
Lograsso	McClelland	Overschmidt	Scheve	Stokan
Surface				

VACANCIES: 001

HB 1353, relating to coroners' reports, was taken up by Representative Farnen.

Speaker Pro Tem Kreider assumed the Chair.

HB 1353 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1318 - Miscellaneous Bills and Resolutions

HB 1561 - Miscellaneous Bills and Resolutions

HB 1763 - Miscellaneous Bills and Resolutions

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SB 549 - Missouri Tobacco Settlement

COMMITTEE REPORTS

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1927**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Municipal Corporations, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1915**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2101, introduced by Representative Chrismer, relating to the establishment of the Veterans' Memorial Bridge.

HB 2102, introduced by Representatives Hampton, Gaw, Smith, Bray, Scheve, Crump, Franklin, Kreider, Foley and Fraser, et al, relating to disclosure of personal information from motor vehicle records maintained by the department of revenue.

HB 2103, introduced by Representatives Gibbons and Phillips, relating to firearm crimes.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Wilson (42) has been appointed a member of the Budget Committee.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 21**.

SENATE CONCURRENT RESOLUTION NO. 21

WHEREAS, Nathaniel J. "Nat" Rivers served the people of the City of St. Louis as a member of the Missouri House of Representatives beginning in 1969, and he continued to serve for the next fourteen years; and

WHEREAS, Nat Rivers was born in Cache, Illinois and educated at Sumner High School in Cairo, Illinois, Southern Illinois University at Carbondale and St. Louis University; and

WHEREAS, Nat Rivers, a real estate and insurance broker, was very active in his community, and served on the Board of Directors of Mid-City Rental Company, Union Sarah Community Corporation, West Side Redevelopment Corporation, West End Congress, Union-Sarah Economic Development Corporation and West Side Community Gardens; and

WHEREAS, Nat Rivers was recognized for his contributions to the St. Louis community through numerous awards, including the St. Louis Citizens Award in Community Service in 1979, the Harris-Stowe College Award in recognition for his concern for Higher Education and Human Development in 1978, and the Dr. Martin Luther King Jr. Human Rights Award in 1979; and

WHEREAS, such awards only begin to recognize Nat Rivers' true accomplishments and contributions to the citizens of St. Louis and the State of Missouri; and

WHEREAS, the most appropriate way to recognize an individual of Nat Rivers' stature is to name a public building after him; and

WHEREAS, the St. Louis Central Office of the Division of Workforce Development, located at 4811 Delmar Boulevard in the City of St. Louis, has no proper name; and

WHEREAS, this St. Louis Central Office provides much needed community services to persons in the St. Louis area, including job service and development, job corps, work opportunity and welfare-to-work information, job training assistance, veterans service and unemployment benefit information; and

WHEREAS, Nat Rivers' contributions and service to the community of St. Louis are exemplary and distinguished:

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Ninetieth General Assembly, the House of Representatives concurring therein, proclaims that the St. Louis Central Office of the Division of Workforce Development, located at 4811 Delmar Boulevard in the City of St. Louis, be hereby named the "Nathaniel J. "Nat" Rivers Office of the Division of Workforce Development", and that a sign or signs of appropriate size, lettering and design be constructed and placed on said office property with the name "Nathaniel J. "Nat" Rivers Office of the Division of Workforce Development" on said sign, which shall be readily legible from the street; and

BE IT FURTHER RESOLVED that the Director of the Department of Economic Development shall promptly notify those members of the General Assembly whose constituents are served by the Nathaniel J. "Nat" Rivers Office of the Division of Workforce Development, the Secretary of the Senate and the Clerk of the House of Representatives with the date in which said sign or signs are to be placed on the property; and

BE IT FURTHER RESOLVED, that the Secretary of the Senate prepare properly inscribed copies of this resolution for the Director of the Department of Economic Development and the Office of Administration.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, March 7, 2000.

COMMITTEE MEETINGS

BUDGET

Tuesday, March 7, 2000, 8:30 am. Hearing Room 3.

Possible Executive Session to follow. AMENDED NOTICE.

To be considered - HB 1109, HB 1111

BUDGET

Tuesday, March 7, 2000. Hearing Room 3 upon morning adjournment.

Possible Executive Session to follow.

To be considered - HB 1109, HB 1111

BUDGET

Wednesday, March 8, 2000, 8:00 am. Hearing Room 3.

Executive Session on FY 2001 budget.

BUDGET

Wednesday, March 8, 2000. Hearing Room 3 upon morning adjournment.
Executive Session on FY 2001 budget.

BUDGET

Thursday, March 9, 2000, 8:00 am. Hearing Room 3.
Executive Session on FY 2001 budget.

CHILDREN, YOUTH AND FAMILIES

Wednesday, March 8, 2000, 7:30 pm. Hearing Room 6.
Executive Session may follow.
To be considered - HB 1187, HB 1819, HB 1943, HB 1946, HB 1962

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 8, 2000. Hearing Room 1 upon morning adjournment.
To be considered - HB 1233, HB 1646, HB 1664, Executive Session - HB 1929,
Executive Session - HB 1997

CRIMINAL LAW

Wednesday, March 8, 2000, 8:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - HB 1528, HB 1851, HB 1920, HB 2010

JUDICIARY

Tuesday, March 7, 2000. Hearing Room 5 upon morning adjournment.
Executive Session may follow. AMENDED NOTICE.
To be considered - HB 1438, HB 1539, HB 1575, HB 1805, HB 1978, HB 2060

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 7, 2000. Hearing Room 7 upon morning adjournment.
Executive Session may follow.
To be considered - HB 1849, HB 1850, HB 1975, HB 2053, HB 2059, HB 2061,
HB 2065, HCR 9

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 8, 2000, 9:00 am. Hearing Room 6.
To be considered - HB 2045, HCR 20, HR 172, HR 199

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 7, 2000. Hearing Room 1 upon morning adjournment.
To be considered - HB 1722, HB 1885, HB 1900

PUBLIC HEALTH

Tuesday, March 7, 2000. Hearing Room 4 upon morning adjournment.
Possible Executive Session to follow.
To be considered - HB 1605, HB 1759

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, March 7, 2000, 9:00 am. Hearing Room 6.

To be considered - HB 1889, HB 1987, HB 2009, Executive Session - HB 1757

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 7, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow.

To be considered - HB 2000, HB 2020, HB 2021

TRANSPORTATION

Wednesday, March 8, 2000. Hearing Room 6 upon morning adjournment.

Executive Session may follow.

To be considered - HB 1972, HB 2018, HB 2024, HCR 18

URBAN AFFAIRS

Tuesday, March 7, 2000, 8:00 pm. Hearing Room 4.

To be considered - HB 1846

WAYS AND MEANS

Wednesday, March 8, 2000. Hearing Room 4 upon afternoon adjournment.

Executive Session may follow. AMENDED NOTICE.

To be considered - HB 1498, HB 1861, HB 1956, HB 1963, HB 1983, HCR 23

HOUSE CALENDAR

THIRTY-SIXTH DAY, TUESDAY, MARCH 7, 2000

HOUSE BILLS FOR SECOND READING

HB 2101 through HB 2103

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1143, as amended - Scheve
- 2 HB 1615 - Hosmer
- 3 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 4 HCS HB 1566 & 1810 - Bray
- 5 HCS HB 1386 & 1086 - Britt
- 6 HCS HB 1076 - Relford
- 7 HB 1238 - Hoppe
- 8 HCS HB 1242 - Treadway
- 9 HB 1472 - Smith
- 10 HCS HB 1434 - Skaggs
- 11 HCS HB 1481 - Smith
- 12 HCS HB 1305 - Rizzo
- 13 HCS HB 1574 & 1640 - Ladd Stokan

- 14 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 15 HCS HB 1652 & 1433 - Hoppe
- 16 HB 1603, HCA 1 and HCA 2 - O'Connor
- 17 HCS HB 1711 - Abel
- 18 HCS HB 1797 - Gratz
- 19 HCS HB 1569 - Bray
- 20 HCS HB 1932 - Harlan
- 21 HCS HB 1967 - Hoppe

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake

HOUSE BILLS FOR PERFECTION - CONSENT

(March 1, 2000)

- 1 HB 1848 - Treadway
- 2 HB 1923 - Ransdall
- 3 HB 1875 - Franklin
- 4 HB 1802 - Monaco
- 5 HB 1544 - Smith
- 6 HB 1591 - Backer
- 7 HB 1739 - Auer
- 8 HB 1486 - Abel
- 9 HB 1509 - Hosmer
- 10 HB 1374 - Graham (24)
- 11 HB 1465 - Ransdall
- 12 HB 1706 - Gambaro
- 13 HB 1428 - Hickey
- 14 HB 1454 - Hoppe
- 15 HB 1604 - Graham (106)
- 16 HB 1568 - Riback Wilson (25)
- 17 HB 1596 - Auer
- 18 HB 1685 - Smith
- 19 HB 1948 - Gratz
- 20 HB 1825 - Klindt

(March 2, 2000)

- 1 HB 1077 - Relford
- 2 HB 1808 - O'Toole

(March 7, 2000)

- 1 HB 1499 - Hoppe
- 2 HB 1647 - Skaggs
- 3 HB 1631 - Hoppe
- 4 HB 1841 - Kreider
- 5 HB 1579 - Hoppe

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1254 - Kissell
- 2 HCS HB 1644, E.C. - Hagan-Harrell
- 3 HB 1443 - Koller
- 4 HCS HB 1737 - Monaco
- 5 HB 1082 - Crump

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1353 - Farnen
- 2 HB 1185 - Gratz
- 3 HB 1085 - Selby
- 4 HB 1396 - Farnen
- 5 HB 1097 - Hosmer
- 6 HB 1289 - Auer
- 7 HB 1335 - Scheve

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 21

HOUSE RESOLUTIONS

- 1 HR 169, (2-24-00, pg. 398) - Williams (121)
- 2 HR 200, (2-24-00, pg. 399) - Harlan
- 3 HR 173, (2-24-00, pg. 398) - Farnen
- 4 HR 33, (2-24-00, pg. 397) - Williams (121)
- 5 HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTY-SIXTH DAY, TUESDAY, MARCH 7, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

God of our families, our state, our nation, our world, grace these halls with Your friendship. We call today "Fat Tuesday". Let this day be fat in faith in You, fat in reliance on Your generous help, fat in a surfeit of generosity, justice, peace for the good of others.

Let our reveling be that we have the singular opportunity of being part of building the laws of our land, a privilege beyond our own ego needs. May we revel in the character behind our legislature and beyond any laws - the spirit of common human dignity and the bonds of mutual respect. To employ time and energy for that today, God, will make this day one of delight. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Cooper McCollum, Trey Crockett, Melissa Wergeles, Heather Sherrer, Erin Harlan, Lane Quinn, Dalton Fuemmeler, Jearmy McCubbins, Erika Camden, Sarah Petroff, Mike Gaspersic, Stephen Hobbs, Hannah Schnitzmeier and Shay Weaver.

The Journal of the thirty-fifth day was approved as printed by the following vote:

AYES: 086

Abel	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Campbell
Carter	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	George
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murphy	Murray	O'Connor	O'Toole
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Townley
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 067

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Blunt	Boatright
Burton	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Foster	Froelker	Gaskill
Gibbons	Graham 106	Griesheimer	Gross	Hanaway
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Tudor
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Black	Champion	Evans	Gambaro
Kasten	Overschmidt	Ridgeway	Stokan	

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 472 - Representative Elliott
 House Resolution No. 473 - Representative Rizzo
 House Resolution No. 474 - Representative Gibbons
 House Resolution No. 475
 and
 House Resolution No. 476 - Representative Hartzler (124)
 House Resolution No. 477 - Representative Nordwald

SECOND READING OF HOUSE BILLS

HB 2101 through **HB 2103** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 21 was read the second time.

HOUSE RESOLUTIONS

HR 169, relating to use of chamber, was taken up by Representative Williams (121).

On motion of Representative Williams (121), **HR 169** was adopted.

HR 200, relating to use of chamber, was taken up by Representative Harlan.

On motion of Representative Harlan, **HR 200** was adopted.

HR 173, relating to use of chamber, was taken up by Representative Farnen.

On motion of Representative Farnen, **HR 173** was adopted.

HR 33, relating to use of chamber, was taken up by Representative Williams (121).

On motion of Representative Williams (121), **HR 33** was adopted.

PERFECTION OF HOUSE BILL

HCS HB 1143, as amended, relating to senior environmental corps, was taken up by Representative Scheve.

Representative Froelker offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1143, Page 2, Section 640.844, Line 13, by deleting “**-Five**” on said line.

On motion of Representative Froelker, **House Amendment No. 3** was adopted.

Representative Bartle offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1143, Page 3, Section 640.852, Lines 23 and 24, by deleting the words: “**displace currently employed workers, or to**”.

Representative Gunn assumed the Chair.

Speaker Gaw assumed the Chair.

Speaker Pro Tem Kreider resumed the Chair.

Representative Bartle moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 030

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Blunt	Boatright	Burton	Chrismer	Dolan
Elliott	Gross	Hanaway	Hendrickson	Hohulin
Kelley 47	Legan	Linton	Lograsso	Long
Loudon	Marble	Miller	Myers	Naeger
Phillips	Pouche 30	Richardson	Sallee	Scott

NOES: 121

Abel	Backer	Barnett	Barry 100	Bennett
Berkowitz	Berkstresser	Black	Bonner	Boucher 48
Boykins	Bray 84	Britt	Campbell	Carter
Champion	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Enz	Farnen	Fitzwater	Foley	Foster
Franklin	Fraser	Froelker	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Levin	Liese	Luetkemeyer	Luetkenhaus	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Monaco	Murray	Nordwald	O'Connor
O'Toole	Ostmann	Parker	Patek	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Riley	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Wilson 25	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 011

Auer	Evans	Ford	Gambaro	Kasten
Murphy	Overschmidt	Stokan	Treadway	Troupe
Williams 159				

VACANCIES: 001

HCS HB 1143, as amended, was laid over.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 27**.

SENATE CONCURRENT RESOLUTION NO. 27

WHEREAS, Missouri producers must have readily available markets in order to remain competitive in the agriculture industry; and

WHEREAS, the ongoing trend of consolidation and mergers in American agriculture economy is having an adverse impact on Missouri farmers and ranchers; and

WHEREAS, farmers' and ranchers' concerns are highlighted by the recent court injunction on the purchase of Murphy Family Farms, Inc. assets in Missouri by Smithfield Foods, Inc.; and

WHEREAS, other Midwestern states have raised similar concerns about the same transaction and have received similar court rulings; and

WHEREAS, this transaction is but one example of the level of interest in antitrust issues particularly within the agricultural sector of the economy; and

WHEREAS, competition remains critical for agricultural producers for the inputs they purchase and the products they sell; and

WHEREAS, the absence of competitive markets not only hurts farmers but ultimately will hurt consumers as well; and

WHEREAS, these anti-competitive forces are not targeted at specific states, but are more regional, national and in some cases, international in nature; and

WHEREAS, the Missouri legislature believes Congress, the United States Department of Agriculture and the United States Department of Justice should do more on consolidation and concentration issues in the agricultural sector; and

WHEREAS, in the absence of action by Congress, several state legislatures are pursuing ways to combat the anti-competitive forces currently at work in the agriculture markets; and

WHEREAS, Missouri lawmakers' concerns are heightened by the importance of agriculture to Missouri's rural communities; and

WHEREAS, Missouri lawmakers believe that consolidation and concentration issues of this magnitude demand prompt attention by lawmakers and regulators at the federal level:

NOW THEREFORE BE IT RESOLVED that the members of the Senate of the Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby call upon the 106th Congress of the United States to immediately:

1. Expand the United States Department of Agriculture's role in evaluating agribusiness mergers and acquisitions;
2. Encourage the appointment of an Assistant Attorney General at the Department of Justice with the sole responsibility of handling agriculture mergers and acquisition;
3. Provide additional resources to expand the capability of the Grain Inspection, Packers and Stockyards Administration (GIPSA) to monitor, investigate and pursue the competitive implications of structural changes in the meat packing industry;
4. Support an increase in the staff of the Transportation, Energy and Agriculture section of the Department of Justice;
5. Prohibit the enforcement of confidentiality clauses in livestock production contracts and grain production contracts except to the extent that a legitimate trade secret is being protected;
6. Allow GIPSA to seek reparations for producers when a packer is found to be engaged in predatory or unfair practices;
7. Provide contract poultry growers the same protections as livestock producers by extending the powers of GIPSA to cover live poultry dealers;
8. Authorize a statutory trust for the protection of cash sellers to livestock dealers;

9. Consider any other measure that will lead to greater competition within the United States' agricultural sector; and

BE IT FURTHER RESOLVED that the Missouri General Assembly requests the United States Department of Agriculture to form a task force, a majority of the members being actual farmers and ranchers, to review and recommend changes in the Packers and Stockyards Act; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Missouri Congressional delegation, the United States Department of Agriculture, and the United States Department of Justice.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

RESOLUTION

Representative Graham (24) offered House Resolution No. 478.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 479	-	Representative Scott
House Resolution No. 480	-	Representative Relford
House Resolution No. 481	-	Representative Green
House Resolution No. 482	-	Representative Elliott
House Resolution No. 483	-	Representative Clayton

PERFECTION OF HOUSE BILLS

HCS HB 1143, as amended, relating to senior environmental corps, was again taken up by Representative Scheve.

Representative Marble offered **House Amendment No. 5**.

Representative Scheve raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Ballard offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1143, Page 3, Section 640.850, Line 6, by inserting between **natural resources** and **conservation** the word **Department of Agriculture**.

Representative Wagner offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

House Substitute Amendment No. 1 for House Amendment No. 5 was withdrawn.

Representative Wagner offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1143, Page 3, Section 640.850, Line 6, by inserting after the words “natural resources”, the words: **”higher education, labor and industrial relations, Department of Agriculture”**.

On motion of Representative Wagner, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted by the following vote:

AYES: 141

Akin	Alter	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gunn	Hampton	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reinhart	Relford	Reynolds	Richardson
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Thompson	Treadway	Troupe
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright

NOES: 005

Hanaway	McClelland	Ostmann	Reid	Ridgeway
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PRESENT: 000

ABSENT WITH LEAVE: 016

Abel	Auer	Bennett	Carter	Evans
Gambaro	Gross	Hagan-Harrell	Harlan	Hoppe
Kasten	Lograsso	Stokan	Surface	Townley
Tudor				

VACANCIES: 001

HCS HB 1143, as amended, was placed on the Informal Calendar.

HCS HBs 1566 & 1810, relating to small business tax credits, was taken up by Representative Bray.

Representative Bray offered **HS HCS HBs 1566 & 1810**.

Representative Treadway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 1, in the title, Line 4, inserting immediately before "348.300", the following: "**135.530**"; and

Further amend the title, page 1, line 8, by deleting the word "nine" and inserting in lieu thereof the word "**ten**"; and

Further amend said substitute, page 1, section A, line 14, by inserting immediately before "348.300", the following: "**135.530**"; and

Further amend section A, line 16, by deleting the word "nine" and inserting in lieu thereof the word "**ten**"; and

Further amend section A, line 18, by inserting immediately before "348.300" the following: "**135.530**"; and

Further amend said substitute, page 9, section 135.423, line 8, by inserting immediately at the end of said line, the following:

"135.530 For the purposes of sections 100.010, 100.710 and 100.850, RSMo, sections 135.110, 135.200, 135.258, 135.313, 135.403, 135.405, 135.503, 135.530 and 135.545, section 215.030, RSMo, sections 348.300 and 348.302, RSMo, and sections 620.1400 to 620.1460, RSMo, "distressed community" means either a Missouri municipality **or a United States census block group** within a metropolitan statistical area which has a median household income of under seventy percent of the median household income for the metropolitan statistical area, according to the last decennial census[, or a United States census block group or contiguous group of block groups within a metropolitan statistical area which has a population of at least two thousand five hundred, and each block group having a median household income of under seventy percent of the median household income for the metropolitan area in Missouri, according to the last decennial census]. In addition the definition shall include municipalities not in a metropolitan statistical area, with a median household income of under seventy percent of the median household income for the nonmetropolitan areas in Missouri according to the last decennial census[or a census block group or contiguous group of block groups which has a population of at least two thousand five hundred each block group having a median household income of under seventy percent of the median household income for the nonmetropolitan areas of Missouri, according to the last decennial census].

On motion of Representative Treadway, **House Amendment No. 1** was adopted.

Representative Merideth offered **House Amendment No. 2**.

Representative Gibbons raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Purgason offered **House Amendment No. 2**.

Representative Kennedy raised a point of order that **House Amendment No. 2** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Bray, **HS HCS HBs 1566 & 1810, as amended**, was adopted.

On motion of Representative Bray, **HS HCS HBs 1566 & 1810, as amended**, was ordered perfected and printed.

HCS HBs 1386 & 1086, relating to financial exploitation of the elderly, was taken up by Representative Britt.

On motion of Representative Britt, **HCS HBs 1386 & 1086** was adopted.

On motion of Representative Britt, **HCS HBs 1386 & 1086** was ordered perfected and printed.

HCS HB 1076, relating to reading ability and promotion, was taken up by Representative Relford.

Representative Relford offered **HS HCS HB 1076**.

Representative Patek offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1076, Page 1, Section 160.519, Line 12 of said page, by adding immediately after the figure "**160.519**", the following: "**1.**"; and

Further amend said bill, page 1, section 160.519, line 17 of said page, by adding after all of said line, the following:

"2. The department of elementary and secondary education shall adjust the schedule for administering the Missouri assessment program to ensure that only one assessment is administered in the third grade and that no more than two such assessments are administered at any other grade level."

Representative Clayton offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Patek raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order well taken.

On motion of Representative Patek, **House Amendment No. 1** was adopted by the following vote:

AYES: 139

Akin	Alter	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Elliott	Enz	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gaskill	George	Gibbons	Graham 106	Graham 24
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Skaggs	Smith	Summers	Surface
Thompson	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 011

Dougherty	Green	Harlan	Hickey	Leake
Liese	McLuckie	O'Connor	Schilling	Shelton
Wiggins				

PRESENT: 001

Farnen

ABSENT WITH LEAVE: 011

Abel	Auer	Bartle	Carter	Evans
Gambaro	Gratz	Hoppe	Kasten	Stokan
Townley				

VACANCIES: 001

Representative Holand offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1076, page 3, Section 167.645, line 9 of said page, by inserting after the second “of”, the following: “**second-grade or within thirty days of the beginning of**”; and

Further amend said bill, page 3, Section 167.645, line 14 of said page, by inserting after the word “**grades**” the figure “**3,**”; and

Further amend said bill, page 3, Section 167.645, line 18 of said page, by deleting the words “**whose third-grade**” and inserting in lieu thereof the following: “**who is entering third grade whose**”; and

Further amend said bill, page 3, section 167.645, line 20 of said page, by deleting the words “**fourth-grade**” and inserting in lieu thereof the following: “**third-grade**”; and

Further amend said bill, page 4, section 167.645, line 1 of said page, by deleting the words “**fourth-grade year**” and inserting in lieu thereof the following: “**third-grade year, as well as parent or guardian conferences and participation**”; and

Further amend said bill, page 4, section 167.645, line 5 of said page, by deleting the word “**fourth**” and inserting in lieu thereof the following: “**third**”; and

Further amend said bill, page 4, section 167.645, line 9 of said page, by deleting the words “**fourth-grade**” and inserting in lieu thereof the following: “**third-grade**”; and

Further amend said bill, page 4, section 167.645, line 10 of said page, by deleting the words “**third-grade**” and inserting in lieu thereof the following: “**fourth-grade (4.0)**”; and

Further amend said bill, page 4, section 167.645, lines 15 and 16 of said page, by deleting said lines and inserting in lieu thereof the following:

“**fourth-grade (3.5) level, the district shall provide a conference with the parent or guardian to consider retention or conditional promotion with a reading improvement plan for the student’s fourth-grade year, consistent with district policy.**”; and

Further amend said bill, page 5, Section 167.645, line 1 of said page, by deleting the words “**fifth-grade**” and inserting in lieu thereof the following: “**sixth-grade (6.0)**”.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1076, page 3, section 167.645, line 9 of said page, by inserting after the second “of” the following: “**second-grade or within 40 days of the beginning of**”; and

Further amend said bill, page 5, section 167.645, line 11 of said page, by deleting the word “**may**” and inserting in lieu thereof the word “**shall**”.

Representative Relford requested a division of the question.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

PART I

AMEND House Substitute for House Committee Substitute for House Bill No. 1076, page 3, section 167.645, line 9 of said page, by inserting after the second "of", the following: "**second-grade or within 40 days of the beginning of**".

Representative Patek moved that **Part I of House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

PART II

AMEND House Substitute for House Committee Substitute for House Bill No. 1076, page 5, section 167.645, line 11 of said page, by deleting the word "**may**" and inserting in lieu thereof the word "**shall**".

Representative Patek moved that **Part II of House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Backer	Barry 100	Bennett	Berkowitz	Berkstresser
Black	Bonner	Boucher 48	Britt	Chrismer
Clayton	Davis 122	Dougherty	Elliott	Fitzwater
Ford	Franklin	Gibbons	Gross	Hagan-Harrell
Hampton	Hegeman	Hilgemann	Hohulin	Hollingsworth
Hosmer	Howerton	Kelley 47	Kennedy	Kissell
Klindt	Kreider	Lakin	Legan	Liese
Lograsso	Luetkenhaus	May 108	Mays 50	McBride
McKenna	Merideth	Murray	Naeger	Ostmann
Overschmidt	Parker	Patek	Pryor	Purgason
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Sallee	Secrest	Seigfreid	Shields	Skaggs
Summers	Thompson	Treadway	Troupe	Wagner
Wiggins	Williams 159	Wilson 42	Mr. Speaker	

NOES: 081

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Blunt	Boatright	Boykins	Bray 84	Burton
Campbell	Champion	Cierpiot	Crawford	Crump
Curls	Davis 63	Days	Dolan	Enz
Farnen	Foley	Foster	Fraser	Froelker
Gaskill	George	Graham 106	Graham 24	Green
Griesheimer	Gunn	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hendrickson	Hickey	Holand	Kelly 27
King	Koller	Lawson	Leake	Levin
Linton	Loudon	Luetkemeyer	Marble	McClelland
McLuckie	Miller	Monaco	Murphy	Myers

Nordwald	O'Connor	O'Toole	Phillips	Pouche 30
Ransdall	Reid	Reinhart	Riley	Robirds
Ross	Scheve	Schilling	Schwab	Scott
Selby	Shelton	Smith	Surface	Tudor
Van Zandt	Vogel	Ward	Williams 121	Wilson 25
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Abel	Auer	Bartle	Carter	Evans
Gambaro	Gratz	Hoppe	Kasten	Long
Stokan	Townley			

VACANCIES: 001

Representative Holand moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 046

Akin	Alter	Ballard	Barnett	Berkstresser
Black	Blunt	Boatright	Burton	Champion
Cierpiot	Dolan	Enz	Froelker	Gaskill
Graham 106	Hanaway	Hartzler 124	Hendrickson	Holand
Kelley 47	Kelly 27	Koller	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Miller
Murphy	Myers	Naeger	Phillips	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Surface	Tudor	Vogel
Wright				

NOES: 103

Backer	Barry 100	Bartelsmeyer	Bennett	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Chrismer	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Elliott
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	George	Gibbons	Graham 24
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hegeman	Hickey
Hilgemann	Hohulin	Hollingsworth	Hosmer	Howerton
Kennedy	King	Kissell	Klindt	Kreider
Lakin	Lawson	Leake	Legan	Liese
Luetkenhaus	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Monaco	Murray
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Pouche 30	Pryor	Purgason
Ransdall	Reid	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Auer	Bartle	Carter	Dougherty
Evans	Gambaro	Gratz	Hoppe	Kasten
Marble	Stokan	Townley		

VACANCIES: 001

Representative Fitzwater offered **House Amendment No. 3**.

Representative Shields raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative May (108) offered **House Amendment No. 3**.

Representative Monaco raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1076, Page 6, Section 167.645, Line 1 of said page, by adding after all of said line, the following:

“11. Each school district shall make an effort to systematically inform parents of the methods and materials used to teach reading in grades kindergarten through three, in terms understandable to a lay person.”

Representative Relford raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Davis (122) offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1076, Page 6, Section 167.645, Line 1 of said page, by adding after all of said line, the following:

“11. Each school district shall make an effort to systematically inform parents of the methods and materials used to teach reading in grades kindergarten through 4 (four), in terms understandable to a lay person.”

On motion of Representative Davis (122), **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Bennett offered **House Amendment No. 4**.

Representative Relford raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hartzler (124) offered **House Amendment No. 4**.

Representative Relford raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Reinhart offered **House Amendment No. 4**.

Representative Relford raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Purgason offered **House Amendment No. 4**.

Representative Relford raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 4**.

Representative Relford raised a point of order that **House Amendment No. 4** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Purgason offered **House Amendment No. 4**.

Representative Relford raised a point of order that **House Amendment No. 4** is dilatory.

Representative Monaco raised an additional point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the first point of order not well taken.

The Chair ruled the second point of order well taken.

Representative Reid offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1076, Page 6, Section B, Line 8 of said page, by adding after all of said line, the following:

“Section C. Chapter 170, RSMo, is amended by adding thereto one new section, to be known as section 170.014, to read as follows:

170.014. 1. This section shall be known as the "Reading Instruction Act" and is enacted to ensure that all public schools provide developmentally appropriate phonics instruction in grades kindergarten through three as a significant component of a program of balanced reading instruction and that all teachers who teach reading in grades kindergarten through three receive adequate training in the teaching of developmentally appropriate phonics.

2. As used in this section, the following terms mean:

(1) "Grammar", the rules and conventions of standard English, including the construction of sentences, the classification, derivation and properties of words, and spelling;

(2) "Phonics instruction", the teaching of sound-symbol correspondence and the rules and generalizations that govern these correspondences, including phonemics, which is the recognition of the boundaries of phonetic elements;

(3) "Developmentally appropriate", instruction and interaction within the age and developmental level of the learner, as ascertained by the best current research.

3. Developmentally appropriate phonics instruction shall be provided in every public school in the state in grades kindergarten through three as a significant component of a program of balanced reading instruction. Nothing in this act shall be construed to require that every child be taught phonics; however, developmentally appropriate phonics instruction shall be available in every elementary school building.; and

Further amend the title accordingly.

Representative Relford raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Reid moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Ballard	Barnett	Bartelsmeyer	Bennett	Berkstresser
Black	Blunt	Boatright	Burton	Champion
Chrismer	Cierpiot	Crawford	Dolan	Enz
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hendrickson	Hohulin	Holand	Howerton	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Luetkemeyer	Marble	Miller	Murphy

Myers	Naeger	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Summers	Tudor	Vogel
Wright				

NOES: 082

Backer	Barry 100	Berkowitz	Bonner	Boucher 48
Boykins	Bray 84	Britt	Campbell	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	George	Graham 24	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hegeman	Hickey
Hilgemann	Hollingsworth	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 019

Abel	Akin	Alter	Auer	Bartle
Carter	Dougherty	Elliott	Evans	Gambara
Gratz	Hoppe	Kasten	Long	Loudon
Nordwald	Stokan	Surface	Townley	

VACANCIES: 001

Representative Marble offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1076, Page 2, Section 160.519, Line 10, by adding after the period, the following: “No district shall be required to fund transportation costs related to this section”.

Representative Marble moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

On motion of Representative Relford, **HS HCS HB 1076, as amended**, was adopted.

On motion of Representative Relford, **HS HCS HB 1076, as amended**, was ordered perfected and printed.

COMMITTEE REPORT

Committee on Governmental Organization and Review, Chairman Barry reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1733**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 541**, entitled:

An act to repeal section 307.375, RSMo Supp. 1999, relating to vehicle equipment regulations, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 633**, entitled:

An act to repeal sections 301.010 and 304.170, RSMo Supp. 1999, relating to motor vehicle lengths, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 743**, entitled:

An act to repeal section 135.095, RSMo Supp. 1999, relating to taxation, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 801**, entitled:

An act to repeal section 260.285, RSMo Supp. 1999, relating to tax credits, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 881**, entitled:

An act to repeal section 92.418, RSMo 1994, relating to expenditure of proceeds of tax, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 893**, entitled:

An act to repeal section 140.160, RSMo 1994, and section 140.110, RSMo Supp. 1999, relating to ownership of property, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 894**, entitled:

An act to repeal sections 141.220, 141.540, 141.570, 141.700, 141.710, 141.720, 141.730, 141.740, 141.750, 141.760, 141.765, 141.770 and 141.800, RSMo 1994, relating to property ownership, and to enact in lieu thereof thirteen new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 907**, entitled:

An act to repeal section 307.173, RSMo Supp. 1999, relating to motor vehicle safety, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 914**, entitled:

An act to repeal sections 621.055, 621.155, 621.165, 621.175, 621.185, 621.189 and 621.198, RSMo 1994, relating to the administrative hearing commission, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 922**, entitled:

An act to repeal sections 87.230 and 87.237, RSMo 1994, relating to retirement benefits, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 942**, entitled:

An act to repeal section 632.486, RSMo Supp. 1999, relating to civil commitment of sexually violent predators, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 975**, entitled:

An act to repeal section 169.280, RSMo 1994, and sections 160.420, 169.270, 169.291, 169.315 and 169.324, RSMo Supp. 1999, relating to teacher and school retirement systems, and to enact in lieu thereof six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 558**, entitled:

An act to repeal section 278.130, RSMo 1994, and section 278.080, RSMo Supp. 1999, as enacted by senate bill no. 3 of the first regular session of the eighty-eighth general assembly, and section 278.080, RSMo Supp. 1999, as enacted by senate bill no. 65 of the first regular session of the eighty-eighth general assembly, relating to the state soil and water districts commission, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 576**, entitled:

An act to amend chapters 33 and 570, RSMo, relating to stealing and related offenses by adding thereto seventeen new sections relating to financial exploitation of the elderly or disabled, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 618**, entitled:

An act to repeal section 217.015, RSMo Supp. 1999, relating to the department of corrections, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 642**, entitled:

An act to repeal section 476.690, RSMo Supp. 1999, relating to judicial retirement, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 721**, entitled:

An act to repeal sections 209.251, 209.253, 209.255, 209.258 and 209.259, RSMo Supp. 1999, relating to telecommunications for persons with disabilities, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 741**, entitled:

An act to repeal section 247.031, RSMo, and sections 644.566, 644.568 and 644.570 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450 of the first regular session of the ninetieth general assembly, and sections 644.566, 644.568 and 644.570 as enacted by house committee substitute for senate substitute for senate committee substitute for senate bill nos. 160 and 82 of the first regular session of the ninetieth general assembly, relating to issuance of bonds for water pollution and storm water control, and to enact in lieu thereof seven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SBs 757 & 602**, entitled:

An act to repeal sections 210.145, 210.152, 210.192, 210.195, 491.074, 566.025, 566.067, 566.068, 573.010, 573.020, 573.025, 573.035, 573.037 and 660.520, RSMo 1994, and sections 210.109, 210.115, 210.150 and 559.115, RSMo Supp. 1999, and to enact in lieu thereof twenty-one new sections relating to the protection of children, with penalty provisions.

In which the concurrence of the House is respectfully requested.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2104, introduced by Representative Purgason, relating to tax credits for individuals who purchase home security devices.

HB 2105, introduced by Representative Van Zandt, relating to the animal shelter grant fund.

HB 2106, introduced by Representatives Gibbons and Graham (24), relating to the issuance of disabled license plates, windshield disabled hanging placards and the use of designated disabled parking spaces.

HB 2107, introduced by Representative Hendrickson, relating to adult establishments.

HB 2108, introduced by Representative Naeger, relating to small claims court procedure.

HB 2109, introduced by Representative Kennedy, relating to the participation of financial institutions in sponsorship and mentoring programs.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, March 8, 2000.

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Wednesday, March 8, 2000. Side gallery upon morning adjournment.

AGRICULTURE

Thursday, March 9, 2000. Side gallery upon noon adjournment.

Executive Session.

To be considered - HB 1811

BUDGET

Wednesday, March 8, 2000, 8:00 am. Hearing Room 3.

Executive Session on FY 2001 budget.

BUDGET

Wednesday, March 8, 2000. Hearing Room 3 upon morning adjournment.

Executive Session on FY 2001 budget.

BUDGET

Wednesday, March 8, 2000, 7:30 pm. Hearing Room 3.

Executive Session on FY 2001 Budget.

BUDGET

Thursday, March 9, 2000, 8:00 am. Hearing Room 3.

Executive Session on FY 2001 budget.

CHILDREN, YOUTH AND FAMILIES

Wednesday, March 8, 2000, 7:30 pm. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1187, HB 1819, HB 1943, HB 1946, HB 1962

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 8, 2000. Hearing Room 1 upon morning adjournment.

AMENDED NOTICE.

To be considered - HB 1646, HB 1664, Executive Session - HB 1929, Executive Session - HB 1997

CONSUMER PROTECTION AND HOUSING

Thursday, March 9, 2000. Side gallery upon adjournment.

To be considered - Executive Session - HB 1281, Executive Session - HB 1877

CRIMINAL LAW

Wednesday, March 8, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow. CANCELLED.

To be considered - HB 1528, HB 1851, HB 1920, HB 2010

ENVIRONMENT AND ENERGY

Thursday, March 9, 2000. Side gallery upon morning adjournment.

Executive Session.

To be considered - HB 1619, HB 1655, HB 2025

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 8, 2000, 9:00 am. Hearing Room 6. CANCELLED.

To be considered - HB 2045, HCR 20, HR 172, HR 199

MUNICIPAL CORPORATIONS

Wednesday, March 8, 2000. Hearing Room 4 upon morning adjournment.

Executive Session.

To be considered - HB 1662, HB 2003, HB 2019

RETIREMENT

Wednesday, March 8, 2000, 8:00 pm. Hearing Room 1.

To be considered - HB 2014, HB 2054, HB 2069, HB 2073

TRANSPORTATION

Wednesday, March 8, 2000. Hearing Room 6 upon morning adjournment.

Executive Session may follow.

To be considered - HB 1972, HB 2018, HB 2024, HCR 18

WAYS AND MEANS

Wednesday, March 8, 2000. Hearing Room 4 upon afternoon adjournment.

Executive Session may follow. AMENDED NOTICE.

To be considered - HB 1498, HB 1861, HB 1956, HB 1963, HB 1983, HCR 23

HOUSE CALENDAR

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 8, 2000

HOUSE BILLS FOR SECOND READING

HB 2104 through HB 2109

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HB 1615 - Hosmer
- 2 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 3 HB 1238 - Hoppe
- 4 HCS HB 1242 - Treadway
- 5 HB 1472 - Smith
- 6 HCS HB 1434 - Skaggs
- 7 HCS HB 1481 - Smith
- 8 HCS HB 1305 - Rizzo
- 9 HCS HB 1574 & 1640 - Ladd Stokan
- 10 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 11 HCS HB 1652 & 1433 - Hoppe
- 12 HB 1603, HCA 1 and HCA 2 - O'Connor
- 13 HCS HB 1711 - Abel
- 14 HCS HB 1797 - Gratz
- 15 HCS HB 1569 - Bray
- 16 HCS HB 1932 - Harlan
- 17 HCS HB 1967 - Hoppe
- 18 HB 1728 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve

HOUSE BILLS FOR PERFECTION - CONSENT

(March 1, 2000)

- 1 HB 1848 - Treadway
- 2 HB 1923 - Ransdall
- 3 HB 1875 - Franklin
- 4 HB 1802 - Monaco
- 5 HB 1544 - Smith
- 6 HB 1591 - Backer
- 7 HB 1739 - Auer
- 8 HB 1486 - Abel
- 9 HB 1509 - Hosmer
- 10 HB 1374 - Graham (24)
- 11 HB 1465 - Ransdall
- 12 HB 1706 - Gambaro
- 13 HB 1428 - Hickey
- 14 HB 1454 - Hoppe
- 15 HB 1604 - Graham (106)
- 16 HB 1568 - Riback Wilson (25)
- 17 HB 1596 - Auer
- 18 HB 1685 - Smith
- 19 HB 1948 - Gratz
- 20 HB 1825 - Klindt

(March 2, 2000)

- 1 HB 1077 - Relford
- 2 HB 1808 - O'Toole

(March 7, 2000)

- 1 HB 1499 - Hoppe
- 2 HB 1647 - Skaggs
- 3 HB 1631 - Hoppe
- 4 HB 1841 - Kreider
- 5 HB 1579 - Hoppe

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1254 - Kissell
- 2 HCS HB 1644, E.C. - Hagan-Harrell
- 3 HB 1443 - Koller
- 4 HCS HB 1737 - Monaco
- 5 HB 1082 - Crump

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1353 - Farnen
- 2 HB 1185 - Gratz
- 3 HB 1085 - Selby
- 4 HB 1396 - Farnen
- 5 HB 1097 - Hosmer
- 6 HB 1289 - Auer
- 7 HB 1335 - Scheve

SENATE CONCURRENT RESOLUTION FOR SECOND READING
SCR 27

SENATE BILLS FOR SECOND READING

- 1 SCS SB 541
- 2 SCS SB 558
- 3 SS SB 576
- 4 SB 618
- 5 SCS SB 633
- 6 SB 642
- 7 SCS SB 721
- 8 SB 741
- 9 SB 743
- 10 SS#2 SCS SB 757 & 602
- 11 SCS SB 801
- 12 SB 881
- 13 SCS SB 893
- 14 SCS SB 894
- 15 SB 907
- 16 SB 914
- 17 SB 922
- 18 SB 942
- 19 SB 975

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 8, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Today, Lord God, is Ash Wednesday. Whatever our religious affiliation, it is good for all of us to pause occasionally, and look a bit at our dark side, God. Help us to attune ourselves with those parts of ourselves which live in the shadow, and need to come to the light. Help us to still our souls - to go into the desert enough - to uncover that which is too proud, too selfish, too ego-centered.

The words, "You are dust, and unto dust you will return," can be a challenge towards commitment to this world and to our earthly lives which need unity with You. Help this House, Lord, find hope in a season of renewal. Thank You, God, for the time to return to You in all we do, work, and play. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Megan O'Brien, Emily Knobbe, Ina Redstone, Blaise Hart-Schmidt, Jeff Scott, Joe Roeder, Cal Broz, Matt Clausen, Derek Schloman, Matthew Johnson, Matt Hellis, Bradley Harris, Stacey Zylka, Kara King and Colleen Heck.

The Journal of the thirty-sixth day was approved as corrected by the following vote:

AYES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	George
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 072

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan

Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Murphy	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reinhart	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 001

Reid

ABSENT WITH LEAVE: 006

Alter	Berkstresser	Carter	Gambaro	Kasten
Stokan				

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 484 - Representative Elliott
 House Resolution No. 485
 through
 House Resolution No. 489 - Representatives Barry and Hendrickson
 House Resolution No. 490 - Representative Reinhart
 House Resolution No. 491
 and
 House Resolution No. 492 - Representative Overschmidt

SECOND READING OF HOUSE BILLS

HB 2104 through **HB 2109** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 27 was read the second time.

SECOND READING OF SENATE BILLS

SCS SB 541, SCS SB 558, SS SB 576, SB 618, SCS SB 633, SB 642, SCS SB 721, SB 741, SB 743, SS#2 SCS SB 757 & 602, SCS SB 801, SB 881, SCS SB 893, SCS SB 894, SB 907, SB 914, SB 922, SB 942 and SB 975 were read the second time.

PERFECTION OF HOUSE BILL

HB 1615, relating to protection of the elderly, was taken up by Representative Hosmer.

Representative Hosmer offered **HS HB 1615**.

Representative Gunn offered **House Amendment No. 1**.

Representative Hosmer raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

HB 1615, with HS, pending, was laid over.

THIRD READING OF HOUSE BILLS

HS HCS HB 1254, relating to bail bondsmen and private investigators, was taken up by Representative Kissell.

Representative Kissell offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1254, Page 4, Section 374.704, Line 12, by deleting the words “**a individual**” and inserting in lieu thereof the words “**an individual**”; and

Further amend said bill, Page 10, Section 374.785, Line 6, by deleting the word “**one**” and inserting in lieu thereof the word “**three**”.

On motion of Representative Kissell, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Kissell, **HS HCS HB 1254, as amended**, was read the third time and passed by the following vote:

AYES: 141

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Froelker	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan

Levin	Liese	Linton	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Tudor	Van Zandt	Vogel	Wagner	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 013

Boatright	Clayton	Foster	Hanaway	Hartzler 123
Hartzler 124	Hohulin	Lograsso	Long	Loudon
Murphy	Purgason	Ward		

PRESENT: 001

Naeger

ABSENT WITH LEAVE: 007

Alter	Berkstresser	Carter	Gambaro	Kasten
Stokan	Troupe			

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hagan-Harrell, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative May (108) moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1644, relating to public school retirement system, was taken up by Representative Hagan-Harrell.

On motion of Representative Hagan-Harrell, **HCS HB 1644** was read the third time and passed by the following vote:

AYES: 152

Abel	Akin	Auer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway

Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 002

Davis 122 Relford

ABSENT WITH LEAVE: 008

Alter	Backer	Berkstresser	Carter	Gambaro
Kasten	Murphy	Stokan		

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 153

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Foster
Franklin	Fraser	Froelker	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid

Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 008

Alter	Berkstresser	Carter	Ford	Gambaro
Kasten	Ridgeway	Stokan		

VACANCIES: 001

On motion of Representative Gratz, title to the bill was agreed to.

Representative Koller moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

HB 1443, relating to sales and use tax exemptions, was taken up by Representative Koller.

On motion of Representative Koller, **HB 1443** was read the third time and passed by the following vote:

AYES: 127

Abel	Akin	Backer	Ballard	Barnett
Barry 100	Bartle	Bennett	Berkowitz	Black
Blunt	Boatright	Bonner	Boykins	Britt
Burton	Champion	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Dolan
Elliott	Enz	Evans	Farnen	Fitzwater
Foster	Franklin	Fraser	Froelker	Gaskill
Gibbons	Graham 106	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Loudon	Marble	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Monaco
Murphy	Murray	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 42	Mr. Speaker			

NOES: 018

Auer	Bray 84	Campbell	Days	Dougherty
George	Green	Hohulin	Kelly 27	Luetkemeyer
May 108	McLuckie	Myers	Reynolds	Schilling
Tudor	Van Zandt	Wilson 25		

PRESENT: 002

Bartelsmeyer Long

ABSENT WITH LEAVE: 015

Alter	Berkstresser	Boucher 48	Carter	Chrismer
Foley	Ford	Gambaro	Hickey	Kasten
Luetkenhaus	Nordwald	Stokan	Troupe	Wright

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hilgemann, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 709**, entitled:

An act to amend chapter 8, RSMo, by adding thereto one new section relating to a permanent memorial for workers killed or injured on the job.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 910**, entitled:

An act to repeal section 163.191, RSMo 1994, relating to community college districts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

The Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Gabriele Mack.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 493 - Representative Boatright
 House Resolution No. 494
 through
 House Resolution No. 496 - Representative Murphy
 House Resolution No. 497 - Representative Crump

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1076, HCS HBs 1386 & 1086** and **HS HCS HBs 1566 & 1810**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HCS HB 1737, relating to long-term care insurance, was taken up by Representative Monaco.

On motion of Representative Monaco, **HCS HB 1737** was read the third time and passed by the following vote:

AYES: 145

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crump	Curls	Davis 122	Days
Dolan	Dougherty	Elliot	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Mays 50	McBride	McClelland

McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	O'Connor
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Treadway	Troupe
Tudor	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Hohulin Luetkemeyer

PRESENT: 000

ABSENT WITH LEAVE: 015

Alter	Carter	Crawford	Davis 63	Gambaro
Kasten	Lakin	May 108	Nordwald	O'Toole
Ridgeway	Stokan	Townley	Vogel	Williams 159

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Fraser, title to the bill was agreed to.

Representative Seigfreid moved that the vote by which the bill passed be reconsidered.

Representative Wagner moved that motion lay on the table.

The latter motion prevailed.

HB 1082, relating to federal land acquisition, was taken up by Representative Crump.

On motion of Representative Crump, **HB 1082** was read the third time and passed by the following vote:

AYES: 127

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Britt	Burton	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Dolan	Elliott	Enz
Evans	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Gaskill	George	Gibbons
Graham 106	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hickey	Hohulin	Holand
Hollingsworth	Howerton	Kelley 47	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	Mays 50	McKenna	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	O'Connor	Ostmann	Overschmidt	Parker

Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Seigfreid
Shelton	Shields	Skaggs	Smith	Summers
Surface	Treadway	Troupe	Tudor	Vogel
Wagner	Ward	Wiggins	Williams 121	Wilson 42
Wright	Mr. Speaker			

NOES: 021

Boykins	Bray 84	Campbell	Days	Dougherty
Farnen	Fraser	Graham 24	Harlan	Hendrickson
Hilgemann	Hoppe	Hosmer	McBride	McClelland
McLuckie	Schilling	Selby	Thompson	Van Zandt
Wilson 25				

PRESENT: 001

Riley

ABSENT WITH LEAVE: 013

Alter	Carter	Davis 63	Gambaro	Kasten
Kelly 27	May 108	Nordwald	O'Toole	Scheve
Stokan	Townley	Williams 159		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative Barry moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL - CONSENT

HB 1353, relating to coroners' reports, was taken up by Representative Farnen.

HB 1353 was laid over.

PERFECTION OF HOUSE BILLS

HB 1615, with HS, pending, relating to protection of the elderly, was again taken up by Representative Hosmer.

Representative Hollingsworth offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1615, Page 25, Section 187.084, Line 4 of said page, by inserting after the word "**RSMo**" the following:

", or the person is listed on the division of family services' central registry for child abuse and neglect pursuant to sections 210.109 to 210.183, RSMo, or the person's foster care license has been refused, suspended or revoked pursuant to section 210.496, RSMo, or the person is disqualified for employment by the department of mental health pursuant to section 630.170, RSMo."; and

Further amend said bill, Page 87, Section 210.903, Line 18 of said page, by deleting all of said line and inserting in lieu thereof the following:

"pursuant to chapter 198, RSMo;

(7) The employee disqualification list maintained by the department of mental health pursuant to section 630.170, RSMo."; and

Further amend said bill, Page 88, Section 210.909, Line 15 of said page, by deleting all of said line and inserting in lieu thereof the following:

"to sections 210.201 to 210.259 or chapter 198, RSMo;

(6) Determine if the applicant has been placed on the employee disqualification list maintained by the department of mental health pursuant to section 630.170, RSMo."; and

Further amend said bill, Page 88, Section 210.909, Line 20 of said page, by deleting all of said line and inserting in lieu thereof the following:

"to [section 660.315] **section 187.081, RSMo, and section 630.170, RSMo**, probable cause findings,"; and

Further amend said bill, Page 89, Section 210.909, Line 3 of said page, by inserting after all of said line the following:

"210.915. The department of corrections, the department of public safety, **the department of mental health** and the department of social services shall collaborate with the department to compare records on child-care and elder-care workers, and the records of persons with criminal convictions and the background checks pursuant to subdivisions (1) to [(6)] **(7)** of subsection 2 of section 210.903, and to enter into any interagency agreements necessary to facilitate the receipt of such information and the ongoing updating of such information. The department, in coordination with the department of social services, shall promulgate rules and regulations concerning such updating, including subsequent background reviews as listed in subsection 1 of section 210.909."; and

Further amend said bill, Page 89, Section 210.933, Lines 4 to 9 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"210.933. **1. Until January 1, 2001**, for any elder-care worker listed in the registry or who has submitted the registration form as required by sections 210.900 to 210.936, an elder-care provider may access the registry in lieu of the requirements established pursuant to section [660.315] **187.081, RSMo**, or to subsections 3, 4 and 5 of section [660.317] **187.084, RSMo**.

2. Effective January 1, 2001, elder-care providers subject to the provisions of section 187.084, RSMo, shall access the registry to satisfy the employee disqualification provisions specified therein."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Bill No. 1615, Page 25, Section 187.084, Line 4 of said page, by inserting after the word "**RSMo**" the following:

", or the person is listed on the division of family services' central registry for child abuse and neglect pursuant to sections 210.109 to 210.183, RSMo, or the person's foster care license has been refused, suspended or revoked pursuant to section 210.496, RSMo, or the person is disqualified for employment by the department of mental health pursuant to section 630.170, RSMo."; and

Further amend said bill, Page 25, Section 187.084, Line 11 of said page, by inserting after all of said line the following:

"8. Any provider that violates the provisions of this section shall be subject to the civil penalties established in section 198.067, RSMo, regardless of whether such violation has been or is being corrected."; and

Further amend said bill, Page 87, Section 210.903, Line 18 of said page, by deleting all of said line and inserting in lieu thereof the following:

"pursuant to chapter 198, RSMo;

(7) The employee disqualification list maintained by the department of mental health pursuant to section 630.170, RSMo."; and

Further amend said bill, Page 88, Section 210.909, Line 15 of said page, by deleting all of said line and inserting in lieu thereof the following:

"to sections 210.201 to 210.259 or chapter 198, RSMo;

(6) Determine if the applicant has been placed on the employee disqualification list maintained by the department of mental health pursuant to section 630.170, RSMo."; and

Further amend said bill, Page 88, Section 210.909, Line 20 of said page, by deleting all of said line and inserting in lieu thereof the following:

"to [section 660.315] section 187.081, RSMo, and section 630.170, RSMo, probable cause findings,"; and

Further amend said bill, Page 89, Section 210.909, Line 3 of said page, by inserting after all of said line the following:

"210.915. The department of corrections, the department of public safety, the department of mental health and the department of social services shall collaborate with the department to compare records on child-care and elder-care workers, and the records of persons with criminal convictions and the background checks pursuant to subdivisions (1) to [(6)] (7) of subsection 2 of section 210.903, and to enter into any interagency agreements necessary to facilitate the receipt of such information and the ongoing updating of such information. The department, in coordination with the department of social services, shall promulgate rules and regulations concerning such updating, including subsequent background reviews as listed in subsection 1 of section 210.909."; and

Further amend said bill, Page 89, Section 210.933, Lines 4 to 9 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"210.933. **1. Until January 1, 2001**, for any elder-care worker listed in the registry or who has submitted the registration form as required by sections 210.900 to 210.936, an elder-care provider may access the registry in lieu of the requirements established pursuant to section [660.315] **187.081**, RSMo, or to subsections 3, 4 and 5 of section [660.317] **187.084**, RSMo.

2. Effective January 1, 2001, elder-care providers subject to the provisions of section 187.084, RSMo, shall access the registry to satisfy the employee disqualification provisions specified therein."; and

Further amend said bill, Page 120, Section B, Line 37 of said page, by inserting after all of said line the following:

"Section C. Because immediate action is necessary to ensure the safety of the elderly section 187.084 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 187.084 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hosmer, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Kissell offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 1615, Section 660.320, Page 120, Line 35, by inserting immediately after said line the following:

"Section 1. **1. Any person or official who is required to report cases of suspected abuse of adults under the provisions of section 198.070, RSMo, or section 565.188, RSMo, who has reasonable cause to suspect that an adult has died as a result of abuse, sexual abuse, or negligence, shall report that fact to the appropriate medical examiner or coroner. In all cases of death of a resident of any skilled, intermediate care, or residential care facility, the facility shall immediately report the death to the appropriate medical examiner or coroner. The report is required regardless of whether the facility believes the death to be from natural causes or the result of abuse, sexual abuse, or negligence, or any other cause. In all cases of death of an individual in a hospital who, within five days of entering the hospital was a resident of a skilled nursing, intermediate care or residential care facility, the hospital shall immediately report the death to the appropriate medical examiner or coroner. The report is required regardless of whether the facility believes the death to be from natural causes or the result of abuse, sexual abuse, negligence, or any other cause.**

2. The medical examiner or coroner shall accept the report for investigation and upon finding reasonable cause to suspect that an adult has died as a result of abuse, sexual abuse, or negligence shall report the findings to the police and the appropriate prosecuting attorney. If the institution making the report is a hospital, or skilled, intermediate care or residential care facility, the coroner or medical examiner shall report the findings to the hospital or facility as part of a pending or ongoing law enforcement investigation."; and

Further amend title and enacting clause accordingly.

On motion of Representative Kissell, **House Amendment No. 2** was adopted.

Representative Griesheimer offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Bill No. 1615, Page 105, Section 660.401, Line 20 of said page, by inserting after all of said line the following:

"Section 1. No long-term care facility shall be more than one hundred twenty days delinquent in payments to vendors of essential services, including but not limited to vendors of food, utilities, maintenance or pharmaceutical supplies, if such delinquency affects the quality of care received by the facility's residents. Upon receipt and verification of a complaint of delinquency of payment from a vendor of essential services, the division of aging may require the facility to draft a plan of correction. If the division determines that the corrective measures are inadequate or have not been implemented, the division may impose sanctions against the facility, including revocation of the facility's license."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Griesheimer, **House Amendment No. 3** was adopted.

Representative Smith offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1615, Page 75, Section 208.152(9), Line 18, by deleting lines 18 thru 21, of underlined language, starting with the word "No" and ending the with word "rules;"

Representative Holand offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Substitute for House Bill No. 1615, Page 75, Section 208.152(9), Line 20, [Joint Committee on Administrative Rules], insert **House Committee, Appropriations for Social Services & Corrections, Medicaid Subcommittee.**

Representative Holand moved that **House Substitute Amendment No. 1 for House Amendment No. 4** be adopted.

Which motion was defeated.

HB 1615, with HS, as amended, and House Amendment No. 4, pending, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 1076 - Fiscal Review (Fiscal Note)

HS HCS HBs 1566 & 1810 - Fiscal Review (Fiscal Note)

HB 2102 - Transportation

COMMITTEE REPORTS

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **HJR 42**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Critical Issues, to which was referred **HB 1747**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1768**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HJR 45**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Joint Resolution No. 45, Page 2, Section 39(a), Line 16, by striking the word “six” and inserting in lieu thereof the word “twelve”.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1847**, **HB 1356**, **HB 1593** and **HB 1764**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2110, introduced by Representatives Bonner, Monaco, Cierpiot, Ross and Lograsso, et al, relating to jails and jailers.

HB 2111, introduced by Representative Kissell, relating to charges for water service.

HB 2112, introduced by Representatives Hegeman and Summers, relating to the large animal veterinary medicine loan repayment program.

HB 2113, introduced by Representatives Foster, Schwab and Richardson, et al, relating to disability benefits in teacher and school employee retirement systems.

HB 2114, introduced by Representative Hoppe, relating to transportation authorities in certain cities and counties.

HB 2115, introduced by Representative Schilling, relating to insurance coverage for mental health or chemical dependency services.

HB 2116, introduced by Representatives Riback Wilson (25), McLuckie, Fitzwater, Schilling and Shelton, et al, relating to access to student records.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Carter is no longer a member of the Budget Committee.

Representative Wiggins has been appointed a member of the Budget Committee.

Representative Selby is no longer a member of the Insurance Committee.

Representative Wagner has been appointed a member of the Insurance Committee.

Representative Davis (63) is no longer a member of the Public Safety and Law Enforcement Committee.

Representative Selby has been appointed a member of the Public Safety and Law Enforcement Committee.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 9, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-sixth Day, Tuesday, March 7, 2000, pages 488 and 489, roll call, by showing Representative Champion voting "no" rather than "absent with leave".

Pages 490 and 491, roll call, by showing Representative Williams (159) voting "no" rather than "absent with leave".

Pages 494 and 495, roll call, by showing Representatives Gross, Surface and Tudor voting "aye" rather than "absent with leave".

Pages 503 and 504, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Thursday, March 9, 2000. Side gallery upon noon adjournment.

Executive Session.

To be considered - HB 1811

BUDGET

Thursday, March 9, 2000, 8:00 am. Hearing Room 3.

Executive Session on FY 2001 budget.

BUDGET

Thursday, March 9, 2000. Hearing Room 3 upon morning adjournment.

Executive Session on FY 2001 budget.

CONSUMER PROTECTION AND HOUSING

Thursday, March 9, 2000. Side gallery upon adjournment.

To be considered - Executive Session - HB 1281, Executive Session - HB 1877

CRITICAL ISSUES

Monday, March 13, 2000, 7:30 pm. Hearing Room 3.

Executive Session may or may not follow.

To be considered - HB 1418, HCR 5

EDUCATION - ELEMENTARY AND SECONDARY

Monday, March 13, 2000, 3:00 pm. Hearing Room 1. Executive Session.

To be considered - HB 1255, HB 1379, HB 1412, HB 1784

ENVIRONMENT AND ENERGY

Thursday, March 9, 2000. Side gallery upon morning adjournment.

Executive Session.

To be considered - HB 1619, HB 1655, HB 2025

MISSOURI TOBACCO SETTLEMENT

Wednesday, March 15, 2000, 8:30 am. Hearing Room 7.

To be considered - SB 549

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 14, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow.

To be considered - HB 2070, HB 2075

URBAN AFFAIRS

Tuesday, March 14, 2000, 8:00 pm. Hearing Room 4.

To be considered - HB 1846

HOUSE CALENDAR

THIRTY-EIGHTH DAY, THURSDAY, MARCH 9, 2000

HOUSE BILLS FOR SECOND READING

HB 2110 through HB 2116

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HB 1615, HS, as amended and HA 4, pending - Hosmer
- 2 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 3 HB 1238 - Hoppe
- 4 HCS HB 1242 - Treadway
- 5 HB 1472 - Smith
- 6 HCS HB 1434 - Skaggs
- 7 HCS HB 1481 - Smith
- 8 HCS HB 1305 - Rizzo
- 9 HCS HB 1574 & 1640 - Ladd Stokan
- 10 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 11 HCS HB 1652 & 1433 - Hoppe
- 12 HB 1603, HCA 1 and HCA 2 - O'Connor
- 13 HCS HB 1711 - Abel
- 14 HCS HB 1797 - Gratz
- 15 HCS HB 1569 - Bray
- 16 HCS HB 1932 - Harlan
- 17 HCS HB 1967 - Hoppe
- 18 HB 1728 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve

HOUSE BILLS FOR PERFECTION - CONSENT

(March 2, 2000)

- 1 HB 1077 - Relford
- 2 HB 1808 - O'Toole

(March 7, 2000)

- 1 HB 1499 - Hoppe
- 2 HB 1647 - Skaggs
- 3 HB 1631 - Hoppe
- 4 HB 1841 - Kreider
- 5 HB 1579 - Hoppe

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1566 & 1810, E.C., (Fiscal Review, 3-8-00) - Bray
- 2 HCS HB 1386 & 1086 - Britt
- 3 HS HCS HB 1076, E.C., (Fiscal Review, 3-8-00) - Relford

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1353 - Farnen
- 2 HB 1185 - Gratz
- 3 HB 1085 - Selby
- 4 HB 1396 - Farnen
- 5 HB 1097 - Hosmer
- 6 HB 1289 - Auer
- 7 HB 1335 - Scheve
- 8 HB 1848 - Treadway
- 9 HB 1923, E.C. - Ransdall
- 10 HB 1875 - Franklin
- 11 HB 1802 - Monaco
- 12 HB 1544 - Smith
- 13 HB 1591 - Backer
- 14 HB 1739 - Auer
- 15 HB 1486 - Abel
- 16 HB 1509 - Hosmer
- 17 HB 1374 - Graham (24)
- 18 HB 1465 - Ransdall
- 19 HB 1706 - Gambaro
- 20 HB 1428 - Hickey
- 21 HB 1454 - Hoppe
- 22 HB 1604 - Graham (106)
- 23 HB 1568 - Riback Wilson (25)
- 24 HB 1596 - Auer

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25 HB 1685 - Smith

26 HB 1948 - Gratz

27 HB 1825 - Klindt

SENATE BILLS FOR SECOND READING

1 SB 709

2 SB 910

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTY-EIGHTH DAY, THURSDAY, MARCH 9, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Be merciful to this House this day. In You, God, dry bones are raised to life. Renew those whose lives have grown dry with lost expectations. In You, God, parched hearts find living water. Refresh those whose spirits are parched from lack of trust in their contacts with others, or from their being used by others.

God, in You the hungry feed upon the word of life. Nourish those who have fed on food alien to the loving and forgiving human spirit. Lord, in You, even the selfish are reconciled. Restore those weakened or broken in their bonds with You, and those who have used others for their own designs. Hear these words and pleas in this House, Lord, and remain with each of us now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Cieara Hart, Douye Aweke - Uge, Scott Wright, Tony Badra, Michelle Quirk, Jordan Hale, Kevin Tarpley, Darvee Graham, Michelle Cypret and Zuzie Jaouni.

The Journal of the thirty-seventh day was approved as corrected by the following vote:

AYES: 080

Abel	Auer	Backer	Barry 100	Berkowitz
Boucher 48	Boykins	Bray 84	Britt	Campbell
Clayton	Crump	Curls	Davis 122	Days
Dougherty	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	George	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Wilson 25	Wilson 42	Mr. Speaker

NOES: 071

Akin	Ballard	Bartelsmeyer	Bartle	Bennett
Berkstresser	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross

Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Murphy	Myers	Naeger	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reid	Reinhart	Richardson	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Summers	Surface	Townley	Tudor	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 011

Alter	Barnett	Bonner	Carter	Davis 63
Gambara	Kasten	Nordwald	Ridgeway	Stokan
Williams 159				

VACANCIES: 001

RESOLUTION

Representative Gratz offered House Resolution No. 504.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 498 - Representative Relford
 House Resolution No. 499 - Representatives Ostmann and Dolan
 House Resolution No. 500 - Representatives Ostmann and Luetkenhaus
 House Resolution No. 501 - Representative Selby
 House Resolution No. 502 - Representative Gross, et al
 House Resolution No. 503 - Representative Smith
 House Resolution No. 505
 and
 House Resolution No. 506 - Representative Barnett
 House Resolution No. 507 - Representative Howerton
 House Resolution No. 508 - Representative Blunt
 House Resolution No. 509 - Representative Ford
 House Resolution No. 510 - Representative Monaco
 House Resolution No. 511 - Representative Graham (24)
 House Resolution No. 512 - Representative Akin
 House Resolution No. 513 - Representative McClelland
 House Resolution No. 514
 and
 House Resolution No. 515 - Representative Gaw

SECOND READING OF HOUSE BILLS

HB 2110 through **HB 2116** were read the second time.

SECOND READING OF SENATE BILLS

SB 709 and **SB 910** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 1374, HB 1428, HB 1454, HB 1465, HB 1486, HB 1509, HB 1544, HB 1568, HB 1591, HB 1596, HB 1604, HB 1685, HB 1706, HB 1739, HB 1802, HB 1825, HB 1848, HB 1875, HB 1923** and **HB 1948** begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

RECONSIDERATION

Representative Griesheimer, having voted on the prevailing side, moved that the vote by which **HB 1208** was third read and defeated, be reconsidered.

Which motion was defeated by the following vote:

AYES: 081

Abel	Auer	Backer	Barry 100	Berkowitz
Boucher 48	Boykins	Bray 84	Britt	Campbell
Clayton	Crump	Curls	Davis 122	Days
Dougherty	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	George	Graham 24	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hampton
Harlan	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 068

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Berkstresser	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kelley 47	King	Klindt	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Naeger	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson

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Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 002

Bennett	Holand
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ABSENT WITH LEAVE: 011

Alter	Bonner	Carter	Davis 63	Gambaro
Kasten	Nordwald	Ostmann	Ridgeway	Stokan
Williams 159				

VACANCIES: 001

Representative Bartelsmeyer, having voted on the prevailing side, moved that the vote by which **HB 1292** was third read and defeated, be reconsidered.

Which motion was adopted by the following vote:

AYES: 098

Abel	Auer	Backer	Barnett	Barry 100
Bartelsmeyer	Bennett	Berkowitz	Berkstresser	Black
Boucher 48	Boykins	Britt	Burton	Champion
Clayton	Crump	Curls	Davis 122	Dolan
Elliott	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Gaskill	George
Gibbons	Graham 106	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hartzler 123	Hickey
Hollingsworth	Hoppe	Howerton	Kelley 47	Kelly 27
Kennedy	Kissell	Klindt	Kreider	Lakin
Lawson	Leake	Legan	Liese	Linton
Loudon	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Naeger	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Reinhart
Relford	Reynolds	Richardson	Rizzo	Sallee
Scheve	Schwab	Scott	Seigfreid	Shelton
Skaggs	Smith	Surface	Treadway	Troupe
Tudor	Vogel	Wagner	Ward	Wiggins
Williams 121	Wilson 42	Mr. Speaker		

NOES: 048

Akin	Ballard	Bartle	Blunt	Boatright
Bray 84	Campbell	Chrismer	Cierpiot	Days
Dougherty	Enz	Fraser	Froelker	Graham 24
Hampton	Hanaway	Harlan	Hartzler 124	Hegeman
Hendrickson	Hilgemann	Hohulin	Hosmer	King
Koller	Levin	Lograsso	Long	Luetkemeyer
Murphy	Myers	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Robirds	Ross
Schilling	Selby	Summers	Thompson	Townley
Van Zandt	Wilson 25	Wright		

PRESENT: 004

Crawford	Riley	Secrest	Shields
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ABSENT WITH LEAVE: 012

Alter	Bonner	Carter	Davis 63	Gambaro
Holand	Kasten	Nordwald	Ostmann	Ridgeway
Stokan	Williams 159			

VACANCIES: 001

HB 1292, relating to health insurance, was taken up by Representative Auer.

On motion of Representative Auer, **HB 1292** was read the third time and passed by the following vote:

AYES: 141

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Boucher 48	Britt	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Kelley 47
Kennedy	King	Kissell	Klindt	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
O'Connor	O'Toole	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Hohulin

PRESENT: 005

Boykins	Days	Murphy	Riley	Shields
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ABSENT WITH LEAVE: 015

Alter	Bonner	Bray 84	Carter	Davis 63
Gambaro	Howerton	Kasten	Kelly 27	Koller
Nordwald	Ostmann	Ridgeway	Stokan	Williams 159

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Clayton, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1353, relating to coroners' reports, was taken up by Representative Farnen.

On motion of Representative Farnen, **HB 1353** was read the third time and passed by the following vote:

AYES: 145

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Boucher 48	Boykins	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	O'Connor	O'Toole	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Hohulin	Long	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 014

Alter	Bonner	Bray 84	Carter	Davis 63
Gambaro	Hilgemann	Kasten	Kelly 27	Nordwald
Ostmann	Ridgeway	Stokan	Williams 159	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Wagner moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider assumed the Chair.

HB 1185, relating to conveyance in Jefferson City, was taken up by Representative Gratz.

On motion of Representative Gratz, **HB 1185** was read the third time and passed by the following vote:

AYES: 146

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Boucher 48	Boykins	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Wilson 25	Wright
Mr. Speaker				

NOES: 003

Gunn	Hohulin	Wilson 42
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PRESENT: 000

ABSENT WITH LEAVE: 013

Alter	Bonner	Bray 84	Carter	Davis 63
Gambaro	Kasten	Koller	Nordwald	Ostmann
Ridgeway	Stokan	Williams 159		

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Shelton, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Williams (121) moved that motion lay on the table.

The latter motion prevailed.

HB 1085, relating to standards for mental health facilities, was taken up by Representative Selby.

HB 1085 was laid over.

PERFECTION OF HOUSE BILL

HB 1615, with House Amendment No. 4 and HS, as amended, pending, relating to protection of the elderly, was taken up by Representative Hosmer.

House Amendment No. 4 was withdrawn.

Representative Smith offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Bill No. 1615, Page 75, Section 208.152, Lines 20 and 21, by deleting said lines and inserting in lieu thereof the following:

“unless rules requiring the prior authorization of such drugs or medicines have been promulgated pursuant to Chapter 536 RSMo;”.

Representative Lograsso offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

House Substitute Amendment No. 1 for House Amendment No. 4

AMEND House Substitute for House Bill No. 1615, Page 75, Section 208.152, Lines 18 to 21, by deleting all of said lines and inserting in lieu thereof the following:

"physician, dentist, or podiatrist. **The division of medical services in the department of social services shall, by rule, determine on an annual basis which drugs or medicines shall be placed on the Medicaid pharmacy prior authorization list. Each individual drug or medicine placed on the prior authorization list shall be so placed by separate ruler. No rule or portion of a rule promulgated pursuant to this subdivision shall become effective unless it has been promulgated pursuant to chapter 536, RSMo;**" and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Lograsso moved that **House Substitute Amendment No. 1 for House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Smith moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Ward offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Bill No. 1615, Page 75, Section 208.152, Line 16, by adding after said line the following:

"(9) Services of chiropractors licensed pursuant to chapter 331, RSMo"; and

renumber the subsequent subdivisions accordingly.

On motion of Representative Ward, **House Amendment No. 5** was adopted.

Representative Backer offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Bill No. 1615, Page 74, Section 208.152, Line 16, by adding after the word "facilities", the following:

"The Division of Medical Services shall remit to a licensed nursing home operator the Medicaid payment for a newly admitted Medicaid resident in a licensed long term care facility within 45 days of the resident's date of admission."

On motion of Representative Backer, **House Amendment No. 6** was adopted.

Representative Clayton offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Bill No. 1615, Page 120, Section 660.320, Line 35, by adding after said line the following:

“Section 1. Any claimant aggrieved by a decision of the director of the division of family services made under section 208.080, RSMo., who prevails upon appeal pursuant to section 208.100, RSMo., or section 208.110, RSMo., may petition the court to receive an award of reasonable attorneys fees, court costs and expenses. The court may award such reasonable attorneys fees, court costs and expenses, payable by the director of the division of family services to the claimant, if the court finds that the position of the state was not substantially justified.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Clayton, **House Amendment No. 7** was adopted.

Representative Wright offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Bill No. 1615, Page 26, Section 187.087, Line 10, by inserting at the end of said section the following:

"187.090. 1. The division of aging shall establish a "Senior Citizen Abuse Review Panel (SCRAP)," which shall consist of five members. The members shall be appointed by the director of the division of aging. The members shall serve three-year terms, meet periodically as needed, serve without compensation and include members from the division of aging, a senior organization, a nursing facility administrator, a physician and registered nurse not employed by the state. Within six months of a report of abuse or neglect pursuant to sections 187.020, 187.032 and 187.075, the division of aging shall forward such reported information to the senior citizen abuse review panel for review.

2. The senior citizen abuse review panel shall review the information submitted by the division pursuant to subsection 1 of this section and shall compile the results of such reviews in an annual report, which shall be available to the public and distributed to the general assembly.”; and

Further amend title, enacting clause, and intersectional references accordingly.

HB 1615, with House Amendment No. 8 and HS, as amended, pending, was laid over.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 73 - Missouri Tobacco Settlement

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 2076 - Ways and Means

HB 2077 - Children, Youth and Families

HB 2078 - Public Safety and Law Enforcement

HB 2079 - Professional Registration and Licensing

HB 2080 - Public Health

HB 2081 - Education - Elementary and Secondary

HB 2082 - Education - Elementary and Secondary
HB 2083 - Critical Issues
HB 2084 - Judiciary
HB 2085 - Municipal Corporations
HB 2086 - Retirement
HB 2087 - Commerce
HB 2088 - Ways and Means
HB 2089 - Correctional and State Institutions
HB 2090 - Retirement
HB 2091 - Civil and Administrative Law
HB 2092 - Governmental Organization and Review
HB 2093 - Local Government and Related Matters
HB 2094 - Ways and Means
HB 2095 - Public Safety and Law Enforcement
HB 2096 - Banks and Financial Institutions
HB 2097 - Correctional and State Institutions
HB 2098 - Public Safety and Law Enforcement
HB 2099 - Public Safety and Law Enforcement
HB 2100 - Missouri Tobacco Settlement
HB 2114 - Urban Affairs

COMMITTEE REPORTS

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1811**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1101**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1102**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1103**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1104**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1105**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1106**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1107**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1108**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1109**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1110**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1111**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1112**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Utilities Regulation, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HB 1326**, begs leave to report it has examined the same and recommends that it **Do Pass.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2117, introduced by Representative Ridgeway, relating to authority of park rangers in certain counties.

HB 2118, introduced by Representative Britt, relating to transfers of funds in certain school districts.

HB 2119, introduced by Representatives Howerton, Ross, Hartzler (124), Patek and Summers, et al, relating to powers of governing boards of colleges and universities.

HB 2120, introduced by Representative Schwab, relating to limitations on the granting of liquor licenses.

HB 2121, introduced by Representative Boucher, relating to the licensure of day care programs affiliated with public schools.

HB 2122, introduced by Representative Green, relating to aggressive driving.

HB 2123, introduced by Representatives Thompson, Riley, Scheve, Harlan, Curls, Wilson (42) and Troupe, et al, relating to personnel records of peace officers.

HB 2124, introduced by Representative Gaskill, relating to individuals required to make out returns of income to the state.

LETTER OF RESIGNATION

March 1, 2000

The Honorable Steve Gaw
Speaker of the House
Missouri House of Representatives
State Capitol Building
Jefferson City, Missouri 65101

Dear Speaker Gaw:

On March 9, 2000 at 3:59 p.m. I will officially resign as State Representative of the 61st Legislative District.

Respectfully yours,

/s/ Paula J. Carter
State Representative

The following member's presence was noted: Ridgeway.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, March 13, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-seventh Day, Wednesday, March 8, 2000, pages 517 and 518, roll call, by showing Representative Backer voting "aye" rather than "absent with leave".

Pages 519 and 520, roll call, by showing Representatives Boucher, Luetkenhaus and Wright voting "aye" rather than "absent with leave".

Pages 521 and 522, roll call, by showing Representatives Crawford and Lakin voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, March 14, 2000. Hearing Room 7 upon morning adjournment.

To be considered - HB 1113

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 15, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1935, Executive Session - HB 1646

CRITICAL ISSUES

Monday, March 13, 2000, 7:30 pm. Hearing Room 3.

Executive Session may or may not follow.

To be considered - HB 1418, HCR 5

EDUCATION - ELEMENTARY AND SECONDARY

Monday, March 13, 2000, 3:00 pm. Hearing Room 1.

Executive Session.

To be considered - HB 1255, HB 1379, HB 1412, HB 1784

FISCAL REVIEW

Tuesday, March 14, 2000, 8:30 am. Hearing Room 7.

Executive Session.

To be considered - HB 1076, HB 1566

INSURANCE

Tuesday, March 14, 2000, 8:30 am. Hearing Room 5.

To be considered - HB 1874

MISSOURI TOBACCO SETTLEMENT

Wednesday, March 15, 2000, 8:30 am. Hearing Room 7.

To be considered - SB 549

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 14, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 2034, HB 2056

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 14, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow.

To be considered - HB 2070, HB 2075

URBAN AFFAIRS

Tuesday, March 14, 2000, 8:00 pm. Hearing Room 4.

To be considered - HB 1846

WAYS AND MEANS

Tuesday, March 14, 2000, 1:00 pm. Hearing Room 6.

Executive Session.

HOUSE CALENDAR

THIRTY-NINTH DAY, MONDAY, MARCH 13, 2000

HOUSE BILLS FOR SECOND READING

HB 2117 through HB 2124

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 1101 - Green
- 2 HCS HB 1102 - Lakin
- 3 HCS HB 1103 - Lakin
- 4 HCS HB 1104 - Green
- 5 HCS HB 1105 - Green
- 6 HCS HB 1106 - Scheve
- 7 HCS HB 1107 - Scheve
- 8 HCS HB 1108 - Lakin
- 9 HCS HB 1109 - Troupe
- 10 HCS HB 1110 - Riback-Wilson (25)
- 11 HCS HB 1111 - Troupe
- 12 HCS HB 1112 - Riback-Wilson (25)

HOUSE BILLS FOR PERFECTION

- 1 HB 1615, HA 8 and HS, as amended, pending - Hosmer
- 2 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 3 HB 1238 - Hoppe
- 4 HCS HB 1242 - Treadway
- 5 HB 1472 - Smith
- 6 HCS HB 1434 - Skaggs
- 7 HCS HB 1481 - Smith
- 8 HCS HB 1305 - Rizzo
- 9 HCS HB 1574 & 1640 - Britt
- 10 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 11 HCS HB 1652 & 1433 - Hoppe
- 12 HB 1603, HCA 1 and HCA 2 - O'Connor
- 13 HCS HB 1711 - Abel
- 14 HCS HB 1797 - Gratz
- 15 HCS HB 1569 - Bray
- 16 HCS HB 1932 - Harlan
- 17 HCS HB 1967 - Hoppe
- 18 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve

HOUSE BILLS FOR PERFECTION - CONSENT

(March 7, 2000)

- 1 HB 1499 - Hoppe
- 2 HB 1647 - Skaggs
- 3 HB 1631 - Hoppe
- 4 HB 1841 - Kreider
- 5 HB 1579 - Hoppe

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1566 & 1810, E.C., (Fiscal Review, 3-8-00) - Bray
- 2 HCS HB 1386 & 1086 - Britt
- 3 HS HCS HB 1076, E.C., (Fiscal Review, 3-8-00) - Relford

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1085 - Selby
- 2 HB 1396 - Farnen
- 3 HB 1097 - Hosmer
- 4 HB 1289 - Auer
- 5 HB 1335 - Scheve
- 6 HB 1848 - Treadway
- 7 HB 1923, E.C. - Ransdall
- 8 HB 1875 - Franklin
- 9 HB 1802 - Monaco
- 10 HB 1544 - Smith
- 11 HB 1591 - Backer
- 12 HB 1739 - Auer
- 13 HB 1486 - Abel
- 14 HB 1509 - Hosmer
- 15 HB 1374 - Graham (24)
- 16 HB 1465 - Ransdall
- 17 HB 1706 - Gambaro
- 18 HB 1428 - Hickey
- 19 HB 1454 - Hoppe
- 20 HB 1604 - Graham (106)
- 21 HB 1568 - Riback Wilson (25)
- 22 HB 1596 - Auer
- 23 HB 1685 - Smith
- 24 HB 1948 - Gratz

- 25 HB 1825 - Klindt
- 26 HB 1077 - Relford
- 27 HB 1808 - O'Toole

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTY-NINTH DAY, MONDAY, MARCH 13, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Creator God, we know of no better way to begin the work of another week than by rededicating our lives and energy to Your service. Help the men and women of the House, and those who work alongside them in the staff, to do their best for Missouri.

Bless their efforts on behalf of those whose needs are great, children, prisoners, the poor and the ill; so that by serving others they may know they serve You, the author and giver of all life.

You are the Hope of all; and to You be all glory and honor, forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-eighth day was approved as corrected by the following vote:

AYES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 070

Akin	Ballard	Barnett	Bartle	Bennett
Berkstresser	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Murphy	Myers	Naeger	Ostmann

Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

PRESENT: 001

Reid

ABSENT WITH LEAVE: 008

Alter	Bartelsmeyer	Kasten	Mays 50	Nordwald
Secrest	Stokan	Troupe		

VACANCIES: 002

RESOLUTION

Representatives Days, Foley, George, Green, Gunn, Murray, O'Connor, Reynolds and Thompson offered House Resolution No. 550.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 516 - Representative Williams (121)
House Resolution No. 517
through
House Resolution No. 528 - Representative Murphy
House Resolution No. 529 - Representatives Enz and Hendrickson
House Resolution No. 530
through
House Resolution No. 547 - Representative Murphy
House Resolution No. 548 - Representative Wiggins
House Resolution No. 549 - Representative Townley
House Resolution No. 551 - Representative Hegeman

SECOND READING OF HOUSE BILLS

HB 2117 through **HB 2124** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 1808** and **HB 1077**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HB 1615, with House Amendment No. 8 and HS, as amended, pending, relating to protection of the elderly, was taken up by Representative Hosmer.

House Amendment No. 8 was withdrawn.

Representative Richardson offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Bill No. 1615, Page 11, Section 187.075, Line 18, by inserting after the word “official,” the words **“concerned citizen”**; and

Further amend said bill, Page 11, Line 20, by inserting after the word “an” the following: **“individual residing in their home or residence has been abused or neglected or an”**; and

Further amend said bill, Page 12, Line 7, by inserting after the words “the in-home services client” the following: **“or the individual residing in their own home or residence”**; and

Further amend said bill, Page 12, Line 12, by inserting after the word “an” the following: **“individual residing in their home or residence or an”**; and

Further amend said bill, Page 12, Line 18, by inserting after the word “an” the following: **“individual residing in their home or residence or an”**; and

Further amend said bill, Page 12, Line 23, by inserting after the word “the” the following: **“individual residing in their own home or residence or the”**; and

Further amend said bill, Page 13, Line 2, at the beginning of said line, by inserting the following: **“individual residing in their home or residence or the”**; and

Further amend said bill, Page 13, Line 10, by inserting after the word “an” the following: **“individual residing in their home or residence or the”**; and

Further amend said bill, Page 13, Line 21, by inserting after the word “an” the following: **“individual residing in their home or residence or the”**; and

Further amend said bill, Page 14, Line 11, by inserting after the word “an” the following: **“individual residing in their home or residence or the”**; and

Further amend said bill, Section 187.078, Page 14, Line 15, by inserting after the word “an” the following: **“individual residing in their own home or residence or an”**; and

Further amend said bill, Page 14, Line 22, at the beginning of said line, by adding the following: **“an individual residing in their own home or residence,”**; and

Further amend said bill, Page 15, Subsection 3, Line 2, after the word “the” by inserting the following: **“individual providing care of an individual sixty years of age or older residing in their own home or residence,”**; and

Further amend said bill, Page 15, Line 3, after the words “diverts from the” by inserting the following: “**individual residing in their home or residence or**”; and

Further amend said bill, Page 15, Line 4, by inserting after the word “funds” the following: “**of an individual residing in their home or residence or an in-home service client**”.

On motion of Representative Richardson, **House Amendment No. 8** was adopted.

Representative Hanaway offered **House Amendment No. 9**.

House Amendment No. 9 was withdrawn.

Representative Hanaway offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Bill No. 1615, Page 5, Section 187.020.1, Line 1, by inserting after the words “resident intern” the words “nurse practitioners, physicians’ assistants,”.

On motion of Representative Hanaway, **House Amendment No. 9** was adopted.

Representative Kelley (47) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Bill No. 1615, Page 53, Section 208.010, Line 7, by deleting the word “**four**” and inserting in lieu thereof the following: “**twenty-five hundred**”; and

Further amend House Substitute for House Bill No. 1615, Page 53, Section 208.010, Line 11, by deleting the word “**six**” and inserting in lieu thereof the following: “**four**”; and

Further amend House Substitute for House Bill No. 1615, Page 70, Section 208.151, Line 14, by deleting the following: “**four**” and inserting in lieu thereof the following: “**twenty-five hundred**”; and

Further amend House Substitute for House Bill No. 1615, Page 70, Section 208.151, Line 14, by deleting the following: “**six**” and inserting in lieu thereof the following: “**four**”.

Representative Naeger offered **House Substitute Amendment No. 1 for House Amendment No. 10**.

House Substitute Amendment No. 1

for

House Amendment No. 10

AMEND House Substitute for House Bill No. 1615, Page 53, Section 208.010, Line 7, by deleting the word “**four**” and inserting in lieu thereof the following: “**five thousand**”; and

Further amend House Substitute for House Bill No. 1615, Page 53, Section 208.010, Line 11, by deleting the word “**six**” and inserting in lieu thereof the following: “**seven**”; and

Further amend House Substitute for House Bill No. 1615, Page 70, Section 208.151, Line 14, by deleting the following: “**four**” and inserting in lieu thereof the following: “**five thousand**”; and

Further amend House Substitute for House Bill No. 1615, Page 70, Section 208.151, Line 14, by deleting the following: “**six**” and inserting in lieu thereof the following: “**seven**”.

On motion of Representative Naeger, **House Substitute Amendment No. 1 for House Amendment No. 10** was adopted by the following vote:

AYES: 148

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	McBride	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Tudor	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Hagan-Harrell

PRESENT: 001

Riley

ABSENT WITH LEAVE: 011

Alter	Chrismer	Kasten	Linton	Mays 50
McClelland	Nordwald	Secrest	Stokan	Troupe
Vogel				

VACANCIES: 002

Representative Kelly (27) offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Bill No. 1615, Page 7, Section 187.020, Line 6, by inserting after the figure "187.087" found on said line the following:

“, provided that

(1) the information pursuant to 187.020.2 and 187.020.6, RSMo, shall be reported to any person with durable power of attorney or with legal guardianship for the resident who is the subject of the complaint and investigation; and

(2) such information shall not be reported to any person pursuant to (1) of this subsection if such person is the alleged perpetrator of the abuse or neglect.”.

On motion of Representative Kelly (27), **House Amendment No. 11** was adopted.

Representative Patek offered **House Amendment No. 12**.

House Amendment No. 12 was withdrawn.

Representative Backer offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Substitute for House Bill No. 1615, Page 86, Section 208.152, Line 19, by adding a new subsection 11 to read as follows:

11. The department of social services shall, in connection with medical assistance provided for in section 208.152.1(4), RSMo, make payment through rates determined in accordance with methods and standards developed by the department of social services which take into account the costs, including the costs of services required to attain or maintain the highest practicable physical, mental and psycho social well-being of each resident eligible for benefits under the Missouri Medicaid program, of complying with subsection’s (b) (other than paragraph (3)(F) thereof), (c) and(d) of 42 U.S.C. § 1396r(b), (c) and(d) and provide (in the case of a nursing facility with a waiver under 42 U.S.C. § 1396r(b)(4)(C)(ii) for an appropriate reduction to take into account the lower costs (if any) of the facility for nursing care and which the division of medical services finds, and makes assurances satisfactory to the director of the department of social services, are reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities in order to provide care and services in conformity with applicable state and federal laws, regulations, and quality and safety standards.

On motion of Representative Backer, **House Amendment No. 12** was adopted.

HB 1615, with HS, as amended, pending, was laid over.

PERFECTION OF HOUSE BILLS - INFORMAL

HCS HB 1362, with HS, as amended, pending, relating to health insurance, was taken up and placed back on the Informal Calendar.

HCS HB 1602, as amended, relating to livestock sales regulations, was taken up and placed back on the Informal Calendar.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 2013 - Public Health

HB 2110 - Criminal Law

COMMITTEE REPORT

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1718**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2125, introduced by Representative Selby, relating to comprehensive psychiatric services.

HB 2126, introduced by Representative Kelly (27), relating to crime victims' compensation.

HB 2127, introduced by Representative Kelly (27), relating to one hundred twenty day probation.

HB 2128, introduced by Representative Skaggs, relating to certificate of need.

HB 2129, introduced by Representatives McLuckie and Bray, relating to the promotion of energy efficiency.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, March 14, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-eighth Day, Thursday, March 9, 2000, pages 534 and 535, roll call, by showing Representative Barnett voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, March 14, 2000. Hearing Room 7 upon morning adjournment.

To be considered - HB 1113

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 15, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1935, Executive Session - HB 1646

COMMERCE

Tuesday, March 14, 2000. Hearing Room 5 upon morning adjournment.

Executive Session may follow.

To be considered - HB 1945, HB 2036, HB 2087

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, March 14, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 2055, HCR 21

FISCAL REVIEW

Tuesday, March 14, 2000, 8:30 am. Hearing Room 7.

Executive Session.

To be considered - HB 1076, HB 1566

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 15, 2000, 8:30 am. Hearing Room 5.

To be considered - HB 1218, HB 2092

INSURANCE

Tuesday, March 14, 2000, 8:30 am. Hearing Room 5.

To be considered - HB 1874

MISSOURI TOBACCO SETTLEMENT

Wednesday, March 15, 2000, 8:30 am. Hearing Room 7.

To be considered - SB 549

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 14, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 2034, HB 2056

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 14, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow.

To be considered - HB 2070, HB 2075

TRANSPORTATION

Wednesday, March 15, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - HB 2102, HCR 18

URBAN AFFAIRS

Tuesday, March 14, 2000, 8:00 pm. Hearing Room 4.

AMENDED NOTICE.

To be considered - HB 1846, HB 2114

WAYS AND MEANS

Tuesday, March 14, 2000, 1:00 pm. Hearing Room 6.

Executive Session.

HOUSE CALENDAR

FORTIETH DAY, TUESDAY, MARCH 14, 2000

HOUSE BILLS FOR SECOND READING

HB 2125 through HB 2129

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 1101 - Green
- 2 HCS HB 1102 - Lakin
- 3 HCS HB 1103 - Lakin
- 4 HCS HB 1104 - Green
- 5 HCS HB 1105 - Green
- 6 HCS HB 1106 - Scheve
- 7 HCS HB 1107 - Scheve
- 8 HCS HB 1108 - Lakin
- 9 HCS HB 1109 - Troupe
- 10 HCS HB 1110 - Riback Wilson (25)
- 11 HCS HB 1111 - Troupe
- 12 HCS HB 1112 - Green

HOUSE BILLS FOR PERFECTION

- 1 HB 1615, HS, as amended, pending - Hosmer
- 2 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 3 HB 1238 - Hoppe
- 4 HCS HB 1242 - Treadway
- 5 HB 1472 - Smith
- 6 HCS HB 1434 - Skaggs

- 7 HCS HB 1481 - Smith
- 8 HCS HB 1305 - Rizzo
- 9 HCS HB 1574 & 1640 - Britt
- 10 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 11 HCS HB 1652 & 1433 - Hoppe
- 12 HB 1603, HCA 1 and HCA 2 - O'Connor
- 13 HCS HB 1711 - Abel
- 14 HCS HB 1797 - Gratz
- 15 HCS HB 1569 - Bray
- 16 HCS HB 1932 - Harlan
- 17 HCS HB 1967 - Hoppe
- 18 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve

HOUSE BILLS FOR PERFECTION - CONSENT

(March 7, 2000)

- 1 HB 1499 - Hoppe
- 2 HB 1647 - Skaggs
- 3 HB 1631 - Hoppe
- 4 HB 1841 - Kreider
- 5 HB 1579 - Hoppe

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1566 & 1810, E.C., (Fiscal Review, 3-8-00) - Bray
- 2 HCS HB 1386 & 1086 - Britt
- 3 HS HCS HB 1076, E.C., (Fiscal Review, 3-8-00) - Relford

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1085 - Selby
- 2 HB 1396 - Farnen
- 3 HB 1097 - Hosmer
- 4 HB 1289 - Auer
- 5 HB 1335 - Scheve
- 6 HB 1848 - Treadway
- 7 HB 1923, E.C. - Ransdall
- 8 HB 1875 - Franklin
- 9 HB 1802 - Monaco
- 10 HB 1544 - Smith
- 11 HB 1591 - Backer

- 12 HB 1739 - Auer
- 13 HB 1486 - Abel
- 14 HB 1509 - Hosmer
- 15 HB 1374 - Graham (24)
- 16 HB 1465 - Ransdall
- 17 HB 1706 - Gambaro
- 18 HB 1428 - Hickey
- 19 HB 1454 - Hoppe
- 20 HB 1604 - Graham (106)
- 21 HB 1568 - Riback Wilson (25)
- 22 HB 1596 - Auer
- 23 HB 1685 - Smith
- 24 HB 1948 - Gratz
- 25 HB 1825 - Klindt
- 26 HB 1077 - Relford
- 27 HB 1808 - O'Toole

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FORTIETH DAY, TUESDAY, MARCH 14, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Eternal God, as we begin this day we acknowledge our need for Your guidance, our hearts and minds need to be expanded and grow generous. Make the first step plain to us for today.

Help the men and women of the House to see where their duty lies. But give Your nudge to each of us, we pray, and encourage us, for we want to begin this day moving in the right direction. To You be glory and honor, forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tony Povich, Micah Brown, Kristin Biagioli, Courtney Pisciotta, Stephanie Hessel, Amanda Appel, Bill Uthoff, Erica Ballard, Katie Sherwood, Leigh Anne Tyree, Julianne Wise, Alex Reid, Amy Mogelnicki, Elizabeth Eisile, Tim Good, Laura Dunn, Ashley Dill, Jesse Cain, Tim Hilse, Joe Hooker, Rick Post, Nicholas Frank, Bre' Minniear, Amanda Tucker, Matthew Meyer, Rachel Griffin, Coleman Kappleman, Kyle Schemmer, Chris Heins, Derek Zimmerschied, Denise Loges, Zachary Lauoi, Jennifer Johnson, Amanda Lodder, Gary Anspach and Jessica Mars.

The Journal of the thirty-ninth day was approved as corrected by the following vote:

AYES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 072

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Alter	Kasten	Kelly 27	Scott	Secrest
Stokan				

VACANCIES: 002

RESOLUTION

Representative Gratz offered House Resolution No. 557.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 552

and

House Resolution No. 553 - Representative Thompson

House Resolution No. 554 - Representative Riley

House Resolution No. 555 - Representative Britt

House Resolution No. 556 - Representative Loudon

House Resolution No. 558

through

House Resolution No. 560 - Representative Troupe

House Resolution No. 561

and

House Resolution No. 562 - Representative Fitzwater

House Resolution No. 563 - Representative May (108)

SECOND READING OF HOUSE BILLS

HB 2125 through **HB 2129** were read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HB 1076** and **HS HCS HBs 1566 & 1810 (Fiscal Note)**, begs leave to report it has examined the same and recommends that they **Do Pass**.

PERFECTION OF HOUSE BILL

HB 1615, with HS, as amended, pending, relating to protection of the elderly, was taken up by Representative Hosmer.

Representative Foster offered **House Amendment No. 13**.

Representative Hosmer raised a point of order that **House Amendment No. 13** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Purgason offered **House Amendment No. 13**.

Representative Hosmer raised a point of order that **House Amendment No. 13** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered **House Amendment No. 13**.

Representative Monaco raised a point of order that **House Amendment No. 13** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Ford offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Bill No. 1615, Page 120, Section 660.320, Line 35, by adding after said line the following:

“Section 1. The “Pharmacy Relief for the Elderly Fund” is hereby created. All moneys in the fund shall be subject to appropriation. The fund shall assist persons over the age of 62 who do not have health insurance and require prescription medications. The department of health shall promulgate rules and regulations to administer the provisions of this section.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Ford, **House Amendment No. 13** was adopted.

Representative Richardson offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Bill No. 1615, Page 37, Section 198.026, Line 6, by adding after the word “deficiency”, the words:

“facilities for which the Medicaid direct care rate component in their most recent audited fiscal year cost report does not equal their actual staffing cost for the same audited fiscal year, and which are subject to mandatory staffing ratios, may petition the Division of Medical Services for rate adjustment to meet the actual cost of the required staffing ratios. This rate adjustment shall be reduced to the prior Medicaid rate when the staffing ratios are lifted.”

Representative McKenna offered **House Substitute Amendment No. 1 for House Amendment No. 14**.

*House Substitute Amendment No. 1
for
House Amendment No. 14*

AMEND House Substitute for House Bill No. 1615, Page 37, Section 198.026, Line 6, by adding after the word “deficiency”, the words:

“facilities of which the Medicaid direct care rate component in their most recent audited fiscal year cost report does not equal their actual staffing cost for the same audited fiscal year, and which are subject to mandatory staffing ratios, may petition the Division of Medical Services for rate adjustment to meet the actual cost of the required staffing ratios. The rate adjustment increase may be used only for actual direct care staffing costs for the staffing ratios required by the Division of Aging, and the actual staff cost must be documented to the Division of Medical Services before any increased payment is made. This rate adjustment shall be reduced to the prior Medicaid rate when the staffing ratios are lifted.”

Representative Hollingsworth assumed the Chair.

On motion of Representative McKenna, **House Substitute Amendment No. 1 for House Amendment No. 14** was adopted by the following vote:

AYES: 133

Abel	Akin	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Britt	Burton	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Enz
Evans	Farnen	Fitzwater	Ford	Foster
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hohulin	Hollingsworth	Hoppe	Howerton	Kelley 47
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108

Mays 50	McBride	McClelland	McKenna	Merideth
Miller	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Sallee	Schwab	Scott	Seigfreid
Selby	Shields	Skaggs	Smith	Summers
Thompson	Townley	Treadway	Troupe	Tudor
Vogel	Wagner	Ward	Williams 121	Williams 159
Wilson 42	Wright	Mr. Speaker		

NOES: 018

Bray 84	Campbell	Days	Dougherty	Foley
Hagan-Harrell	Hendrickson	Hilgemann	Holand	Hosmer
Kelly 27	McLuckie	Monaco	Scheve	Schilling
Shelton	Van Zandt	Wilson 25		

PRESENT: 000

ABSENT WITH LEAVE: 010

Alter	Auer	Elliott	Franklin	Kasten
Ridgeway	Secrest	Stokan	Surface	Wiggins

VACANCIES: 002

HB 1615, with HS, as amended, pending, was laid over.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1101, relating to appropriations, was taken up by Representative Green.

Representative Kreider resumed the Chair.

On motion of Representative Green, **HCS HB 1101** was adopted.

On motion of Representative Green, **HCS HB 1101** was ordered perfected and printed.

HCS HB 1105, relating to appropriations, was taken up by Representative Green.

Representative Relford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1105, Page 3, Section 5.030, Line 4, by deleting the number "**\$15,182,552**" and inserting in lieu thereof the number "**\$14,182,552**"; and

Further amend said bill, Page 3, Section 5.030, Line 7, by deleting the number "**\$47,034,811**" and inserting in lieu thereof the number "**\$46,034,811**"; and

Further amend said bill, Page 21, Section 5.520, Line 4, by inserting after said line the following:

“Section 5.525. To General Revenue

There is transferred out of the General Revenue portion of expense and equipment for the Office of Administration an amount equal to five percent
From Office of Administration General Revenue Expense and Equipment (\$1,300,911)”.

Speaker Gaw assumed the Chair.

Representative Scheve assumed the Chair.

Representative Gross offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Green offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1105, Section 5.525, Line 4, by deleting from said line the figure “\$1,300,911” and inserting in lieu thereof the figure “\$640,911”.

On motion of Representative Green, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Gross offered **House Substitute Amendment No. 1 for House Amendment No. 1, as amended.**

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1105, Page 3, Section 5.030, Line 4, by deleting the number “\$15,182,552” and inserting in lieu thereof the number “\$8,533,404”; and

Further amend said bill, Page 3, Section 5.030, Line 7, by deleting the number “\$47,034,811” and inserting in lieu thereof the number “\$40,385,663”; and

Further amend said bill, Page 21, Section 5.520, Line 4, by inserting after said line the following:

“Section 5.525. To General Revenue

There is transferred out of the General Revenue portion of expense and equipment for the Office of Administration an amount equal to five percent
From Office of Administration General Revenue Expense and Equipment (\$640,911)”.

Speaker Gaw resumed the Chair.

Representative Monaco raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Gross moved that **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, be adopted.

Which motion was defeated.

Representative Wright offered **House Substitute Amendment No. 2 for House Amendment No. 1, as amended**.

*House Substitute Amendment No. 2
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1105, Page 3, Section 5.030, Line 4, by deleting the number “**\$15,182,552**” and inserting in lieu thereof the number “**\$13,182,522**”; and

Further amend said bill, Page 3, Section 5.030, Line 7, by deleting the number “**\$47,034,811**” and inserting in lieu thereof the number “**\$45,034,811**”; and

Further amend said bill, Page 21, Section 5.520, Line 4, by inserting after said line the following:

“Section 5.525. To General Revenue

There is transferred out of the General Revenue portion of expense and equipment for the Office of Administration an amount equal to five percent
From Office of Administration General Revenue Expense and Equipment (\$640,911)”.

Representative Wright moved that **House Substitute Amendment No. 2 for House Amendment No. 1, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 064

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Blunt	Boatright	Burton
Champion	Cierpiot	Elliott	Enz	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hohulin	Holand	Howerton	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Myers	Naeger	Ostmann	Patek
Phillips	Pouche 30	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Tudor	Vogel	Wright	

NOES: 087

Abel	Auer	Backer	Barry 100	Berkowitz
Black	Bonner	Boucher 48	Boykins	Bray 84
Britt	Campbell	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murphy	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Townley	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 010

Alter	Chrismer	Dolan	Evans	Hendrickson
Hosmer	Kasten	Nordwald	Pryor	Stokan

VACANCIES: 002

On motion of Representative Relford, **House Amendment No. 1, as amended**, was adopted.

HCS HB 1105, as amended, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 542**, entitled:

An act to repeal sections 473.730, 473.739 and 473.767, RSMo Supp. 1999, relating to public administrators, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 617 & 646**, entitled:

An act to repeal sections 194.300 and 194.302, RSMo Supp. 1999, section 302.171 as enacted by conference committee substitute for house substitute for senate substitute for senate committee substitute for senate bill no. 19, first regular session of the ninetieth general assembly, and section 302.171 as enacted by house bill no. 783, first regular session of the eighty-ninth general assembly, and to enact in lieu thereof three new sections relating to anatomical donation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 753**, entitled:

An act to repeal section 82.300, RSMo 1994, relating to constitutional charter cities, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 924**, entitled:

An act to amend chapter 94, relating to sales taxes for economic development by adding thereto one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 2:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amy Cone, Laura Harrison, Tony Saputo, Nicki White, Josh Kerr, Amanda Chrisman and Jonathan Chrisman.

RESOLUTION

Representative Graham (24) offered House Resolution No. 573.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 564 - Representative Dougherty

House Resolution No. 565 - Representative Champion

House Resolution No. 566

through

House Resolution No. 570 - Representative Ross

House Resolution No. 571 - Representative Backer

House Resolution No. 572 - Representatives Hanaway, Secrest and Gibbons

House Resolution No. 574

and

House Resolution No. 575 - Representative Foster

House Resolution No. 576

and

House Resolution No. 577 - Representative Robirds

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1105, as amended, relating to appropriations, was again taken up by Representative Green.

Representative Relford offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1105, Section 5.065, Page 4, Line 7, by inserting immediately after said line one new section to read as follows:

Section 5.066 To the Office of Administration**For the Division of Personnel****For a Uniform Classification and Pay project**

There is transferred out of the General Revenue Funds chargeable to each state agency to the Office of Administration for allocation and transfer back to each state agency, such amounts as are necessary for the funding of each General Revenue FTE at \$1200 per annum increase.

From Board of Fund Commissioners	\$1E
From Department of Elementary and Secondary Education	\$1E
From Department of Higher Education	\$1E
From Department of Revenue	\$1E
From Department of Transportation	\$1E
From Office of Administration	\$1E
From Department of Agriculture	\$1E
From Department of Natural Resources	\$1E
From Department of Conservation	\$1E
From Department of Economic Development	\$1E
From Department of Insurance	\$1E
From Department of Labor and Industrial Relations	\$1E
From Department of Public Safety	\$1E
From Department of Corrections	\$1E
From Department of Mental Health	\$1E
From Department of Health	\$1E
From Department of Social Services	\$1E
From Office of the Governor	\$1E
From Office of the Lt Governor	\$1E
From Secretary of State	\$1E
From State Auditor	\$1E
From State Treasurer	\$1E
From Attorney General	\$1E
From Judiciary	\$1E
From Office of State Public Defender	\$1E
From General Assembly	\$1E
From Various Personal Service funds	\$1E
Total From General Revenue Funds (est.33,636.54 FTE)	\$36,625,215E

Representative Crump offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Crump offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1105, Section 5.065, Page 4, Line 7, by inserting immediately after said line one new section to read as follows:

Section 5.066.1 To the Office of Administration

For the Division of Personnel

For a Uniform Classification and Pay project

There is transferred out of the General Revenue Funds such funds as were included in the Governor's original budget to fund a \$300 per FTE pay plan and a two step within grade increase for employees below market rates of pay and a \$300 per FTE pay plan and a one step within grade increase for employees at or above market rates of pay, effective in July 1, 2000 and in January 1, 2001, chargeable to each state agency to the Office of Administration for allocation and transfer back to each state agency, such amounts as are necessary for the funding of each General Revenue FTE at \$1200 per annum increase.

From Board of Fund Commissioners	\$1E
From Department of Elementary and Secondary Education	\$1E
From Department of Higher Education	\$1E
From Department of Revenue	\$1E
From Department of Transportation	\$1E
From Office of Administration	\$1E
From Department of Agriculture	\$1E
From Department of Natural Resources	\$1E
From Department of Conservation	\$1E
From Department of Economic Development	\$1E
From Department of Insurance	\$1E
From Department of Labor and Industrial Relations	\$1E
From Department of Public Safety	\$1E
From Department of Corrections	\$1E
From Department of Mental Health	\$1E
From Department of Health	\$1E
From Department of Social Services	\$1E
From Office of the Governor	\$1E
From Office of the Lt Governor	\$1E
From Secretary of State	\$1E
From State Auditor	\$1E
From State Treasurer	\$1E
From Attorney General	\$1E
From Judiciary	\$1E
From Office of State Public Defender	\$1E
From General Assembly	\$1E
From Various Personal Service funds	\$1E
Total From General Revenue Funds (est.33,636.54 FTE)	\$36,625,215E

5.066.2 To the Office of Administration

For the Division of Personnel

For a Uniform Classification and Pay project

There is transferred out of the Federal Funds received, such funds as were included in the Governor's original budget to fund a \$300 per FTE pay plan and a two step within grade increase for employees below market rates of pay and a \$300 per FTE pay plan and a one step within grade increase for employees at or above

market rates of pay, effective in July 1, 2000 and in January 1, 2001, chargeable to each state agency, to the Office of Administration for allocation and transfer back to each state agency, such amounts as are necessary for the funding of each Federal Funds FTE at \$1200 per annum increase.

From Board of Fund Commissioners	\$1E
From Department of Elementary and Secondary Education	\$1E
From Department of Higher Education	\$1E
From Department of Revenue	\$1E
From Department of Transportation	\$1E
From Office of Administration	\$1E
From Department of Agriculture	\$1E
From Department of Natural Resources	\$1E
From Department of Conservation	\$1E
From Department of Economic Development	\$1E
From Department of Insurance	\$1E
From Department of Labor and Industrial Relations	\$1E
From Department of Public Safety	\$1E
From Department of Corrections	\$1E
From Department of Mental Health	\$1E
From Department of Health	\$1E
From Department of Social Services	\$1E
From Office of the Governor	\$1E
From Office of the Lt Governor	\$1E
From Secretary of State	\$1E
From State Auditor	\$1E
From State Treasurer	\$1E
From Attorney General	\$1E
From Judiciary	\$1E
From Office of State Public Defender	\$1E
From General Assembly	\$1E
From Various Personal Service funds	\$1E
Total From Federal Funds (est.10,568.82FTE)	\$9,445,157E

5.066.3 To the Office of Administration

For the Division of Personnel

For a Uniform Classification and Pay project

There is transferred out of all Other Funds received, such funds as were included in the Governor's original budget to fund a \$300 per FTE pay plan and a two step within grade increase for employees below market rates of pay and a \$300 per FTE pay plan and a one step within grade increase for employees at or above market rates of pay, effective in July 1, 2000 and in January 1, 2001, chargeable to each state agency, to the Office of Administration for allocation and transfer back to each state agency, such amounts as are necessary for the funding of each Other Funds FTE at \$1200 per annum increase.

From Board of Fund Commissioners	\$1E
From Department of Elementary and Secondary Education	\$1E
From Department of Higher Education	\$1E
From Department of Revenue	\$1E
From Department of Transportation	\$1E
From Office of Administration	\$1E
From Department of Agriculture	\$1E
From Department of Natural Resources	\$1E
From Department of Conservation	\$1E
From Department of Economic Development	\$1E
From Department of Insurance	\$1E
From Department of Labor and Industrial Relations	\$1E
From Department of Public Safety	\$1E

From Department of Corrections	\$1E
From Department of Mental Health	\$1E
From Department of Health	\$1E
From Department of Social Services	\$1E
From Office of the Governor	\$1E
From Office of the Lt Governor	\$1E
From Secretary of State	\$1E
From State Auditor	\$1E
From State Treasurer	\$1E
From Attorney General	\$1E
From Judiciary	\$1E
From Office of State Public Defender	\$1E
From General Assembly	\$1E
From Various Personal Service funds	\$1E
Total From Other Funds (est.17,013.44)	\$20,210,327E

On motion of Representative Crump, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Days offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1105, Page 20, Section 5.460, Line 3, by deleting all of said line and inserting in lieu thereof the following:

Sections 115.077, 115.063, and 115.065 RSMo **\$154,999E**

On motion of Representative Days, **House Amendment No. 3** was adopted.

Representative Williams (159) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1105, Section 5.015, Page 2, Line 3, by deleting from said line the figure "1,465,634" and inserting in lieu thereof the figure "1,004,834"; and

Further amend said section, Line 5, by deleting from said line the figure "1,652,579" and inserting in lieu thereof the figure "1,191,779"; and

Further amend said section, Line 10, by deleting said line and inserting in lieu thereof the following:

"Total (Not to exceed 22.60 F.T.E.) \$1,277,793"

On motion of Representative Williams (159), **House Amendment No. 4** was adopted.

On motion of Representative Green, **HCS HB 1105, as amended**, was adopted.

On motion of Representative Green, **HCS HB 1105, as amended**, was ordered perfected and printed.

HCS HB 1102, relating to appropriations, was taken up by Representative Lakin.

Representative Lakin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1102, Page 11, Section 2.210, Line 3, by deleting the figure “8,801,420” and inserting in lieu thereof the figure “8,913,420”; and

Further amend said section, Line 5, by deleting the figure “15,652,419” and inserting in lieu thereof the figure “15,764,419”.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1102, Page 11, Section 2.210, Line 3, by deleting the figure “\$8,801,420” and inserting in lieu thereof the figure “\$11,066,254”; and

Further amend said section, Line 4, by deleting the figure “\$6,850,999” and inserting in lieu thereof the figure “\$8,076,887”; and

Further amend said section, Line 5, by deleting the figure “\$15,652,419” and inserting in lieu thereof the figure “\$19,143,141”.

Representative Patek moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kelley 47	King	Klindt
Legan	Levin	Linton	Lograsso	Loudon
Luetkemeyer	Marble	McClelland	Merideth	Miller
Monaco	Murphy	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Wright			

NOES: 079

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater

Foley	Franklin	Fraser	George	Graham 24
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 010

Alter	Ford	Froelker	Gambaro	Gratz
Kasten	Kennedy	Long	Stokan	Vogel

VACANCIES: 002

On motion of Representative Lakin, **House Amendment No. 1** was adopted.

Representative Fitzwater offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1102, Section 2.186, Page 10, Line 3, by striking the number \$1,250,000 from said line and inserting in lieu thereof the following:

“\$3,000,000”

Representative Days offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1102, Section 2.186, Page 10, Line 3, by striking the number \$1,250,000 from said line and inserting in lieu thereof the following:

“\$7,504,657”

On motion of Representative Days, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Shields offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1102, Page 6, Section 2.095, Line 9, by deleting the figure “\$21,231,250” and inserting in lieu thereof the figure “\$20,831,250”; and

Further amend said section, Line 12, by deleting the figure “\$28,731,250” and inserting in lieu thereof the figure “\$28,231,250”; and

Further amend said bill, Page 12, Section 2.240, Line 3, by deleting the figure “\$18,072,000” and inserting in lieu thereof the figure “\$18,572,000”.

On motion of Representative Shields, **House Amendment No. 3** was adopted.

Representative Bennett offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1102, Page 4, Section 2.060, Line 5, by deleting the figure “\$664,561,299” and inserting in lieu thereof the figure “\$701,661,299”.

Representative Bennett moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Loudon	Luetkemeyer	Marble	McClelland	Miller
Murphy	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reid	Reinhart	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Vogel
Wright				

NOES: 084

Abel	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Campbell
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambaro	George
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Tudor
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Alter	Auer	Holand	Kasten	Long
Stokan				

VACANCIES: 002

Representative Patek offered House Amendment No. 5.*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1102, Page 2, Section 2.020, by deleting said section and inserting in lieu thereof the following:

“Section 2.020. To the Department of Elementary and Secondary Education for distributions to the free public schools under the School Foundation Program as provided in Chapter 163, RSMo, as follows: At least One Billion, Six Hundred Twenty-Nine Million Nine Hundred Seventy Thousand, Five Hundred Thirty-Seven Dollars (\$1,629,970,537) for the Equity Formula; and no more than: Three Hundred Thirty-Three Million Dollars (\$333,000,000) for the Line 14 At-Risk Program; One Hundred Seventy Million, Dollars (\$170,000,000) for Transportation, provided that \$24,403,475 may be placed in the Capital Projects Fund; One Hundred Fifty-Nine Million, Six Hundred Seventeen Thousand, Nine Hundred Eighty-Two Dollars (\$159,617,982) for Special Education; Fourteen Million, Eight Hundred Thirty-Five Thousand, Six Hundred Sixty-Eight Dollars (\$14,835,668) for Remedial Reading; Fifty-Seven Million, Three Hundred Forty-Six Thousand, Nine Hundred Eighty-Four Dollars (\$57,346,984) for Early Childhood Special Education; Twenty-Four Million, Six Hundred Seventy-One Thousand, Seven Hundred Fifty-Three Dollars (\$38,337,774) for Career Ladder; Fifty-Five Million, Seven Hundred Seventy-Eight Thousand, Twenty-Eight Dollars (\$55,778,028) for Vocational Education; Thirty-Four Million, Fifty-Six Thousand, Four Hundred Ninety-Nine Dollars (\$34,056,499) for Early Childhood Development

From General Revenue Fund	\$26,121,878
From Outstanding Schools Trust Fund	498,808,152E
From State School Moneys Fund	1,931,134,586
From Lottery Proceeds Fund	58,509,609
From Early Childhood Development, Education and Care Fund	3,100,000

For State Board of Education operated school programs
Personal Service and/or Expense and Equipment

From General Revenue Fund	45,519,162
From Federal Funds	3,022,818
From Bingo Proceeds for Education Fund	1,707,167
Total (Not to exceed 936.31 F.T.E.)	\$2,567,923,372"; and

Further amend said bill, Page 10, Section 2.189, by deleting said section in its entirety and inserting in lieu thereof the following:

“Section 2.189. To the Department of Elementary and Secondary Education

For the National Board Certification Program	\$97,500
For the Teacher Shortage Loan Program	2,500,000
For the Para-Professional Program	400,000
From General Revenue Fund (0 F.T.E.)	\$2,997,500"; and

Further amend said bill, Page 11, Section 2.215, Line 1, by deleting the figure “2,785,991” and inserting in lieu thereof the figure “2,846,575”; and

Further amend said section, Line 6, by deleting the figure "\$4,056,624" and inserting in lieu thereof the figure "\$4,117,208"; and

Further amend said bill, Page 12, Section 2.230, Line 10, by deleting the figure "\$4,279,293" and inserting in lieu thereof the figure "\$4,865,417"; and

Further amend said section, Line 12, by deleting the figure "\$525,313" and inserting in lieu thereof the figure "\$538,445"; and

Further amend said section, Line 13, by deleting the figure "\$14,864,454" and inserting in lieu thereof the figure "\$15,463,710".

Representative Patek moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kelley 47	King
Legan	Levin	Loudon	Marble	McClelland
Miller	Murphy	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Tudor
Vogel	Wright			

NOES: 081

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kennedy	Kissell
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Townley	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 013

Alter	Burton	Graham 24	Kasten	Klindt
Koller	Linton	Lograsso	Long	Luetkemeyer
Rizzo	Stokan	Wilson 25		

VACANCIES: 002

Representative Reid requested verification of the roll call on the motion to adopt **House Amendment No. 5**.

HCS HB 1102, as amended, was laid over.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 22 - Miscellaneous Bills and Resolutions

COMMITTEE REPORTS

Committee on Governmental Organization and Review, Chairman Barry reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1275**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1284**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Davis (63) is no longer Vice Chair of the Labor Committee.

Representative George has been appointed as Vice Chair of the Labor Committee.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2130, introduced by Representatives Akin and Alter, et al, relating to manufacturers' liability.

HB 2131, introduced by Representatives Akin and Backer, relating to expungement of certain criminal records.

WITHDRAWAL OF HOUSE BILL

TO: Anne Walker, Chief Clerk

FROM: Representative Chuck Graham

DATE: March 14, 2000

RE: HR 478

I respectfully request that you withdraw **HR 478**.

Thank you.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m., Wednesday, March 15, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-ninth Day, Monday, March 13, 2000, pages 551 and 552, roll call, by showing Representative Bartelsmeyer voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Wednesday, March 15, 2000. Side gallery upon morning adjournment.

Executive Session.

To be considered - HB 1674, HB 1762

BANKS AND FINANCIAL INSTITUTIONS

Thursday, March 16, 2000, 9:30 am. Side gallery.

Executive Session. To be considered - HB 2066

CHILDREN, YOUTH AND FAMILIES

Wednesday, March 15, 2000. Hearing Room 3 upon morning adjournment.

Executive Session.

To be considered - HB 1962

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 15, 2000. Hearing Room 1 upon morning adjournment.

AMENDED NOTICE.

To be considered - HB 1664, HB 1935, Executive Session - HB 1646

CRIMINAL LAW

Wednesday, March 15, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1528, HB 1851, HB 1920, HB 2010, HB 2110

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 15, 2000, 8:30 am. Hearing Room 5.

To be considered - HB 1218, HB 2092

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, March 16, 2000, 9:00 am. Hearing Room 5.

Recommendation for approval of report from Oversight Subcommittee.

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, March 16, 2000, 9:45 am. Side gallery.

Executive Session.

MISSOURI TOBACCO SETTLEMENT

Wednesday, March 15, 2000, 8:30 am. Hearing Room 7.

To be considered - SB 549

SUBCOMMITTEE ON LEGISLATIVE RESEARCH AND OVERSIGHT

Thursday, March 16, 2000, 9:30 am. Hearing Room 5.

Challenge fiscal note: HB 1447

TRANSPORTATION

Wednesday, March 15, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - HB 2102, HCR 18

HOUSE CALENDAR

FORTY-FIRST DAY, WEDNESDAY, MARCH 15, 2000

HOUSE BILLS FOR SECOND READING

HB 2130 and HB 2131

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 1102, as amended - Lakin
- 2 HCS HB 1103 - Lakin
- 3 HCS HB 1104 - Green
- 4 HCS HB 1106 - Scheve
- 5 HCS HB 1107 - Scheve

- 6 HCS HB 1108 - Lakin
- 7 HCS HB 1109 - Troupe
- 8 HCS HB 1110 - Riback Wilson (25)
- 9 HCS HB 1111 - Troupe
- 10 HCS HB 1112 - Green

HOUSE BILLS FOR PERFECTION

- 1 HB 1615, HS, as amended, pending - Hosmer
- 2 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 3 HB 1238 - Hoppe
- 4 HCS HB 1242 - Treadway
- 5 HB 1472 - Smith
- 6 HCS HB 1434 - Skaggs
- 7 HCS HB 1481 - Smith
- 8 HCS HB 1305 - Rizzo
- 9 HCS HB 1574 & 1640 - Britt
- 10 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 11 HCS HB 1652 & 1433 - Hoppe
- 12 HB 1603, HCA 1 and HCA 2 - O'Connor
- 13 HCS HB 1711 - Abel
- 14 HCS HB 1797 - Gratz
- 15 HCS HB 1569 - Bray
- 16 HCS HB 1932 - Harlan
- 17 HCS HB 1967 - Hoppe
- 18 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1566 & 1810, E.C. - Bray
- 2 HCS HB 1386 & 1086 - Britt
- 3 HS HCS HB 1076, E.C. - Relford

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1085 - Selby
- 2 HB 1396 - Farnen
- 3 HB 1097 - Hosmer
- 4 HB 1289 - Auer
- 5 HB 1335 - Scheve
- 6 HB 1848 - Treadway
- 7 HB 1923, E.C. - Ransdall
- 8 HB 1875 - Franklin
- 9 HB 1802 - Monaco

- 10 HB 1544 - Smith
- 11 HB 1591 - Backer
- 12 HB 1739 - Auer
- 13 HB 1486 - Abel
- 14 HB 1509 - Hosmer
- 15 HB 1374 - Graham (24)
- 16 HB 1465 - Ransdall
- 17 HB 1706 - Gambaro
- 18 HB 1428 - Hickey
- 19 HB 1454 - Hoppe
- 20 HB 1604 - Graham (106)
- 21 HB 1568 - Riback Wilson (25)
- 22 HB 1596 - Auer
- 23 HB 1685 - Smith
- 24 HB 1948 - Gratz
- 25 HB 1825 - Klindt
- 26 HB 1077 - Relford
- 27 HB 1808 - O'Toole
- 28 HB 1499 - Hoppe
- 29 HB 1647 - Skaggs
- 30 HB 1631 - Hoppe
- 31 HB 1841 - Kreider
- 32 HB 1579 - Hoppe

SENATE BILLS FOR SECOND READING

- 1 SCS SB 542
- 2 SCS SB 617 & 646
- 3 SB 753
- 4 SB 924

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FORTY-FIRST DAY, WEDNESDAY, MARCH 15, 2000

Speaker Gaw in the Chair.

Prayer by Ralph Robinette, Sergeant at Arms.

Dear Lord, please be with us and guide us as we serve our constituents and the people of the State of Missouri, that we may do it in a Christian manner. That our service may be a witness to our love for You in that we serve in a loving and caring manner. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Zachary Pitts, Meaghan Lewis, Mary Boehne, Jared Morrison, Joseph Kennedy, Kevin Dermody, Brian Dermody, Conor Dermody, Nicholas Reed, Andy Yuill, Jennifer Kratzer, Crystal Ochemba, Sarah Rogers, Ryan Schwartzmeyer, Elizabeth Jett, Matthew Reed, Kyle Smith, Craig Plassmeyer, Toni Sespak, Dale Struempf, Andy Poettgen, Amanda Printy, Travis Weber, Zack Smith, Victoria Harrison, Gina Stroer, Nathaniel Heyward, Rasheed Sulaiman, Melynda Smith, Eric Doss, Danny Lowes, Sara Pfannebecker, Jenny Roe, Meghan Birdsong, Rachel Kloppe, Frank Hurt, Andrew Parmenter, Jami Burns, Stacy Schneitter, Brandee Wentler, Kiera Howell, Eric Middleby, MacKenzie Davis and Holly Maples.

The Journal of the fortieth day was approved as corrected by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 073

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 001

Reid

ABSENT WITH LEAVE: 003

Alter Kasten Stokan

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 578 - Representatives George and Green
House Resolution No. 579 - Representatives Smith and Graham (24)
House Resolution No. 580 - Representative Barry
House Resolution No. 581 - Representatives Gambaro, Green and Kennedy
House Resolution No. 582 - Representative Seigfreid
House Resolution No. 583
and
House Resolution No. 584 - Representative Reynolds
House Resolution No. 585 - Representative Patek
House Resolution No. 586 - Representative Crump
House Resolution No. 587 - Representative Bennett
House Resolution No. 588 - Representative Kelley (47)
House Resolution No. 589 - Representative Luetkemeyer
House Resolution No. 590 - Representative Bray
House Resolution No. 591 - Representative Smith
House Resolution No. 592 - Representative Chrismer
House Resolution No. 593 - Representative Days
House Resolution No. 594 - Representative Ross
House Resolution No. 595 - Representative Clayton
House Resolution No. 596 - Representative Schilling
House Resolution No. 597 - Representative Hartzler (124)
House Resolution No. 598
and
House Resolution No. 599 - Representative Gratz

HOUSE RESOLUTIONS

HR 505 and **HR 506** were taken up by Representative Barnett.

House Resolution No. 505

WHEREAS, the members of the Missouri House of Representatives always welcome the opportunity to recognize those Show-Me State athletic coaches who have devoted a considerable amount of time and effort to ensuring the success of their teams in area and national competition; and

WHEREAS, Head Coach Mel Tjeerdsman of the Northwest Missouri State University (NWMSU) football Bearcats has been named the American Football Coaches Association (AFCA) 1999 National Coach of the Year for NCAA Division II; and

WHEREAS, one of only eleven coaches in history to have won the award in consecutive years, Coach Tjeerdsman previously won the 1998 Coach of the Year designation which also carries with it the honor of serving as an assistant coach at the prestigious Hula Bowl All-Star Football Classic held annually in Hawaii; and

WHEREAS, with a career record of 128-58-4 and an NWMSU coaching record of 58-20, Coach Tjeerdsman has successfully rebuilt the school's football program which went 0-11 in 1994, posted a respectable 6-5 record with a tie for second place in the MIAA Conference in 1995, and earned an impressive 15-0 National Championship season in 1998 with a reprise as National Champions in 1999; and

WHEREAS, concerned for academics as well as athletics, Coach Tjeerdsman heads a football team that placed twenty-one players on the MIAA Commissioner's Honor Roll for Academics in 1999 with five Bearcats honored as First Team All-American in 1998; and

WHEREAS, with Bachelor's and Master's degrees in physical education, Coach Tjeerdsman has enjoyed selection as AFCA Regional Coach of the Year four times while at NWMSU and as MIAA Conference Coach of the Year for five consecutive seasons:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, join unanimously to applaud the sterling coaching efforts of Mel Tjeerdsman and to convey our heartiest congratulations for an exceptional season which culminated in his selection as American Football Coaches Association National Coach of the Year for the second consecutive time; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution in honor of Head Coach Mel Tjeerdsman of the Northwest Missouri State University football Bearcats.

House Resolution No. 506

WHEREAS, the Missouri House of Representatives has tremendous esteem for those Show-Me State university athletic teams which have proven themselves to be top contenders in national competition; and

WHEREAS, the Northwest Missouri State University football Bearcats have once again earned the title of NCAA Division II National Champions with their 58-52 defeat of Carson-Newman College on December 11, 1999, in Florence, Alabama, in an exceptionally hard-fought game that was watched by five million people on ESPN with six and one-half million viewers tuned in by the end of the four overtimes; and

WHEREAS, National Champions in 1998 and 1999, the Bearcats senior teammates amassed a four-year record of 52-4 and earned four conference championships in addition to their national standing; and

WHEREAS, 1999 marked the fourth consecutive time that the NWMSU Bearcats enjoyed the prestigious status of Mid America Intercollegiate Athletics Association (MIAA) Champions; and

WHEREAS, one of only five Division II schools to win back-to-back national titles, the Bearcats also have an exceptional academic record with twenty-one team members listed on the MIAA Commissioner's Honor Roll for Academics this past season; and

WHEREAS, with two consecutive National Division II Coach of the Year awards, Head Coach Mel Tjeerdsma was admirably assisted by Offensive Coordinator Jim Svoboda; Defensive Coordinator Scott Bostwick; Offensive Line Coach Bart Tatum; Strength/Defensive Line Coach Jon Gustafson; Graduate Assistants Brad Colhour, Adam Dorrel, Kraig Evans, Mark Serve, and Will Wagner; Volunteer Assistant Earnest Collins; Student Assistants Andy Schneider and Kenny Gordon; and Athletic Trainer Dave Colt:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, join unanimously to applaud the stellar training and remarkable performance demonstrated by the NWMSU Bearcat football team throughout the 1999 season and to congratulate it as the well-deserved NCAA Division II National Champions for the second consecutive year; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution in honor of the Northwest Missouri State University football Bearcats.

SECOND READING OF HOUSE BILLS

HB 2130 and **HB 2131** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 542, SCS SBs 617 & 646, SB 753 and **SB 924** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 1499, HB 1579, HB 1631, HB 1647** and **HB 1841** begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1102, as amended, relating to appropriations, was taken up by Representative Lakin.

Representative Shields offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1102, Section 2.005, Line 4, by deleting the figure “\$4,570,218” and inserting in lieu thereof the figure “\$3,926,647”; and

Further amend said section, Line 12, by deleting the figure “13,746,955” and inserting in lieu thereof the figure “13,103,384”; and

Further amend said bill, Section 2.020, by deleting Lines 14 and 15, and inserting in lieu thereof the following:

“For Special Education; Eleven Million, Seven Hundred Thousand, Four Hundred Ninety-Six Dollars (\$11,740,496) for Remedial”; and

Further amend said section, Page 3, Line 27, by deleting the figure “\$49,000” and inserting in lieu thereof the figure “\$692,571”; and

Further amend said section, Line 37, by deleting the figure “\$2,539,971,275” and inserting in lieu thereof the figure “\$2,540,614,846”.

Representative Shields moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Merideth	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

NOES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 003

Alter

Kasten

Stokan

VACANCIES: 002

On motion of Representative Lakin, **HCS HB 1102, as amended**, was adopted.

On motion of Representative Lakin, **HCS HB 1102, as amended**, was ordered perfected and printed.

HCS HB 1103, relating to appropriations, was taken up by Representative Lakin.

Representative Ford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1103, Page 9, Section 3.145, Line 4, by deleting the figure "\$403,644,800" and inserting in lieu thereof the figure "\$402,529,598"; and

Further amend said section, Line 9, by deleting the figure "\$442,052,843" and inserting in lieu thereof the figure "\$440,937,641"; and

Further amend said bill, Section 3.165, by deleting the figure "\$4,581,985" and inserting in lieu thereof the figure "\$5,581,985".

On motion of Representative Ford, **House Amendment No. 1** was adopted.

Representative Williams (121) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1103, Section 3.130, by adding 50,000 for 1 FTE and 15,000 for E & E to fund the following program:

1. To develop on-line courses for ESL teacher certification
2. Develop a web site for the Missouri Multicultural Network
3. To assist business that employ immigrants

Representative Fitzwater offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

House Amendment No. 2 was withdrawn.

Representative Hohulin offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1103, Page 7, Section 3.100, Line 2, by deleting the figure “\$55,855,469” and replacing it with the figure “\$55,376,810”; and

Further amend Line 8, of same section, by deleting the figure “\$61,775,221” and replacing it with the figure “\$61,296,562”.

Representative Hohulin moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Lakin, **HCS HB 1103, as amended**, was adopted.

On motion of Representative Lakin, **HCS HB 1103, as amended**, was ordered perfected and printed.

HCS HB 1104, relating to appropriations, was taken up by Representative Green.

Representative Scheve offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1104, Page 14, Section 4.160, Line 4, by deleting the number “\$80,000,000E” and inserting in lieu thereof the number “\$79,000,000E”.

Representative Relford offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Relford offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1104, Page 14, Section 4.160, Line 4, by deleting said line and inserting in lieu thereof the following:

“From the Unclaimed Prizes portion of the Lottery Enterprise Fund (for Read to be Ready Program)”**\$71,000,000E**”; and

Further amend Page 14, Section 4.165, Lines 2 and 3, by striking said lines and inserting in lieu thereof the following:

“To the Lottery Enterprise Fund, One Hundred Sixty-three Million, Five Hundred Thousand Dollars (\$163,500,000) to the Lottery”; and

Further amend said bill, Section 4.165, Line 5, by striking the number “154,500,000E” and inserting in lieu thereof the number “163,500,000E”.

On motion of Representative Relford, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Elliott offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1104, Page 1, Section 4.005, Line 3, by deleting the figure “\$38,798,453” and inserting in lieu thereof the figure “\$38,683,045”; and

Further amend said bill, Page 1, Section 4.005, Line 5, by deleting the figure “\$40,301,322” and inserting in lieu thereof the figure “\$40,188,950”; and

Further amend said bill, Page 2, Section 4.005, Line 17, by deleting the figure “1985.63” on said line and inserting in lieu thereof the figure “1980.63”; and

Further amend said bill, Page 2, Section 4.005, Line 17, by deleting the figure “\$81,767,050” on said line and inserting in lieu thereof the figure “\$81,539,270”; and

Further amend said bill, Page 21, by adjusting the bill totals accordingly.

On motion of Representative Elliott, **House Amendment No. 2** was adopted by the following vote:

AYES: 093

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Boucher 48	Burton	Champion	Chrismer	Cierpiot
Clayton	Crawford	Dolan	Elliott	Enz
Evans	Farnen	Foster	Froelker	Gaskill
Gibbons	Graham 106	Graham 24	Griesheimer	Gross
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	King	Kissell
Klindt	Koller	Lawson	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Merideth	Miller	Monaco
Murphy	Myers	Naeger	Nordwald	Ostmann
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Smith	Summers	Surface	Townley	Tudor
Ward	Williams 159	Wright		

NOES: 063

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boykins	Bray 84	Britt	Campbell
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Fitzwater	Foley	Franklin	Fraser
Gambaro	George	Gratz	Green	Gunn
Hagan-Harrell	Harlan	Hickey	Hilgemann	Kelly 27
Kennedy	Kreider	Lakin	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna

McLuckie	Murray	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Riley	Schilling
Shelton	Skaggs	Thompson	Treadway	Troupe
Van Zandt	Vogel	Wagner	Wiggins	Williams 121
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 005

Alter	Ford	Kasten	Scheve	Stokan
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VACANCIES: 002

Representative Pryor offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1104, Page 15, Section 4.205, Line 20, by inserting immediately after said line the following:

“Construction From General Revenue Fund \$25,000,000”; and

Further amend said section, Line 25, by deleting from said line the figure “\$976,473,666” and inserting in lieu thereof the figure “\$1,001,473,666”; and

Further amend said bill, Page 18, Section 4.245, by deleting all of said section and inserting in lieu thereof the following:

“Section 4.245. There is transferred out of the State Treasury, Chargeable to the General Revenue Fund, Eighteen Million, Three Hundred Sixty-Seven Thousand, Nine Hundred Seventy-Seven Dollars (\$18,367,977) to the State Transportation Fund
From General Revenue Fund \$18,367,977”; and

Further amend said bill, Page 19, Section 4.247, Line 5, by deleting from said line the figure “8,367,977” and inserting in lieu thereof the figure “18,367,977”.

Representative Scheve assumed the Chair.

On motion of Representative Pryor, **House Amendment No. 3** was adopted by the following vote:

AYES: 135

Abel	Akin	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Britt	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Elliott
Enz	Evans	Farnen	Foley	Ford
Foster	Fraser	Gambaro	Gaskill	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hohulin
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso

Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Relford	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 42	Wright	Mr. Speaker

NOES: 017

Auer	Bray 84	Days	Dougherty	Fitzwater
Franklin	Hagan-Harrell	Harlan	Hilgemann	Monaco
Ransdall	Reynolds	Rizzo	Schilling	Skaggs
Van Zandt	Wilson 25			

PRESENT: 002

Boykins	Riley
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ABSENT WITH LEAVE: 007

Alter	Froelker	George	Holand	Kasten
Scheve	Stokan			

VACANCIES: 002

Representative Marble offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1104, Page 10, Section 4.040, Line 3, by placing an “E” at the end of said line.

On motion of Representative Marble, **House Amendment No. 4** was adopted.

Representative Patek offered **House Amendment No. 5.**

Representative Green raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Parliamentary Committee ruled the point of order well taken.

Representative Reid offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1104, Page 5, Section 4.035, Line 72, be deleting all of said line and adjusting the total on Line 240 accordingly.

Representative Reid moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

On motion of Representative Green, **HCS HB 1104, as amended**, was adopted.

On motion of Representative Green, **HCS HB 1104, as amended**, was ordered perfected and printed.

Representative Backer assumed the Chair.

HCS HB 1106, relating to appropriations, was taken up by Representative Scheve.

Representative Scheve offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Scheve offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1106, Page 22, Section 6.395, Line 4, by deleting the figure "\$5,900,000" and inserting in lieu thereof the figure "\$6,748,460".

Speaker Gaw resumed the Chair.

On motion of Representative Scheve, **House Amendment No. 1** was adopted.

Representative Scheve offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1106, Page 18, Section 6.306, by deleting said section in its entirety.

On motion of Representative Scheve, **House Amendment No. 2** was adopted.

Representative Gunn offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1106, Page 1, Section 6.005, Line 3, by deleting the amount "1,487,514" and inserting in lieu thereof the amount "1,404,462"; and

Further amend said section, Page 2, Line 17, by deleting the line:

"Total (Not to exceed 41.00 F.T.E.) \$2,413,266"

and inserting in lieu thereof the line:

"Total (Not to exceed 40.00 F.T.E.) \$2,330,214".

Representative Smith assumed the Chair.

Representative Gunn moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Akin	Bartle	Bennett	Berkstresser	Bonner
Boucher 48	Boykins	Burton	Cierpiot	Crawford
Curls	Davis 63	Days	Dougherty	Elliott
Enz	Evans	Ford	George	Gibbons
Green	Gunn	Hagan-Harrell	Hanaway	Hartzler 123
Hendrickson	Hickey	Hilgemann	Hohulin	Hosmer
Kelly 27	Lakin	Lawson	Levin	Liese
Loudon	Marble	May 108	McKenna	McLuckie
Monaco	Murray	O'Connor	O'Toole	Reid
Reinhart	Reynolds	Ridgeway	Riley	Ross
Schilling	Selby	Shelton	Shields	Smith
Thompson	Troupe	Tudor	Williams 121	Wilson 42
Wright				

NOES: 090

Abel	Backer	Ballard	Barnett	Barry 100
Bartelsmeyer	Berkowitz	Black	Blunt	Boatright
Britt	Campbell	Champion	Chrismer	Clayton
Crump	Davis 122	Farnen	Fitzwater	Foley
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	Graham 106	Graham 24	Gratz	Griesheimer
Hampton	Harlan	Hartzler 124	Hegeman	Hollingsworth
Hoppe	Howerton	Kelley 47	Kennedy	King
Kissell	Klindt	Koller	Kreider	Leake
Legan	Linton	Luetkemeyer	Luetkenhaus	Mays 50
McBride	McClelland	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Relford	Richardson	Rizzo
Robirds	Sallee	Scheve	Schwab	Scott
Secrest	Seigfreid	Skaggs	Summers	Surface
Townley	Treadway	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Mr. Speaker

PRESENT: 002

Dolan	Gross
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ABSENT WITH LEAVE: 008

Alter	Auer	Bray 84	Holand	Kasten
Lograsso	Long	Stokan		

VACANCIES: 002

Representative Griesheimer offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1106, Page 21, Section 6.372, Line 4, by deleting the figure "\$500,000" and inserting in lieu thereof the figure "\$0".

Representative Griesheimer moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	King	Klindt	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	Miller	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Richardson	Ridgeway	Robirds	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

NOES: 092

Abel	Auer	Backer	Barry 100	Berkowitz
Black	Bonner	Boucher 48	Boykins	Bray 84
Britt	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelley 47
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Monaco	Murphy	Murray
Myers	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Reid	Reinhart	Relford	Reynolds
Riley	Rizzo	Ross	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 001

Alter

ABSENT WITH LEAVE: 004

Holand	Kasten	Legan	Stokan
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VACANCIES: 002

Representative Bennett offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1106, Page 17, Sections 6.305, 6.307 and 6.308, by deleting said sections.

Speaker Gaw resumed the Chair.

On motion of Representative Bennett, **House Amendment No. 5** was adopted by the following vote:

AYES: 090

Abel	Akin	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Bonner	Burton	Champion	Chrismer
Cierpiot	Crawford	Dolan	Elliott	Enz
Evans	Foley	Foster	Froelker	Gaskill
George	Gibbons	Graham 106	Green	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hohulin	Hollingsworth	Hoppe
Howerton	Kelley 47	King	Kissell	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	McKenna
Miller	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Selby	Shields	Summers	Surface	Townley
Tudor	Vogel	Wagner	Ward	Wright

NOES: 065

Auer	Backer	Barry 100	Berkowitz	Boucher 48
Boykins	Bray 84	Britt	Campbell	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Farnen	Fitzwater	Ford	Franklin
Fraser	Gambara	Graham 24	Gratz	Hagan-Harrell
Hampton	Harlan	Hilgemann	Hosmer	Kelly 27
Kennedy	Koller	Kreider	Lakin	Lawson
Leake	Liese	May 108	Mays 50	McBride
McClelland	McLuckie	Merideth	Monaco	O'Toole
Ransdall	Relford	Riley	Rizzo	Scheve
Schilling	Seigfreid	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Alter	Gunn	Holand	Kasten	Parker
Stokan				

VACANCIES: 002

Representative Elliott offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1106, Page 10, Section 6.200, Line 3, by deleting the figure "\$232,373" and inserting in lieu thereof the figure "\$112,373"; and

Further amend said bill, Page 10, Section 6.200, Line 6, by deleting the figure "\$234,559" and inserting in lieu thereof the figure "\$114,559"; and

Further amend said bill, Page 10, Section 6.200, Line 7, by deleting the figure "\$186,900" on said line and inserting in lieu thereof the figure "\$81,900"; and

Further amend said bill, Page 10, Section 6.200, Line 9, by deleting the figure "\$265,702" on said line and inserting in lieu thereof the figure "\$160,702"; and

Further amend said bill, Page 10, Section 6.200, Line 13, by deleting the figure “9.00” and inserting in lieu thereof the figure “6.00”; and

Further amend said bill, Page 10, Section 6.200, Line 13, by deleting the figure “\$652,762” and inserting in lieu thereof the figure “\$427,762”; and

Further amend said bill, Page 25, by adjusting the bill total accordingly.

Representative Elliott moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Merideth	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

NOES: 079

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boykins	Bray 84	Britt	Campbell
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambaro	George
Graham 24	Gratz	Green	Hagan-Harrell	Hampton
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 009

Alter	Boucher 48	Gunn	Harlan	Holand
Kasten	Kissell	Robirds	Stokan	

VACANCIES: 002

On motion of Representative Scheve, **HCS HB 1106, as amended**, was adopted.

On motion of Representative Scheve, **HCS HB 1106, as amended**, was ordered perfected and printed.

HCS HB 1107, relating to appropriations, was taken up by Representative Scheve.

Representative Scheve offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1107, Page 4, Section 7.045, Line 5, by deleting the figure "\$2,351,684" and inserting in lieu thereof the figure "\$2,351,324"; and

Further amend said bill, Page 7, Section 7.055, Line 34, by deleting the figure "\$5,399,433" and inserting in lieu thereof the figure "\$5,269,793"; and

Further amend said bill, Page 7, Section 7.055, Line 35, by deleting the figure "\$5,759,644" and inserting in lieu thereof the figure "\$5,609,644"; and

Further amend said bill, Page 7, Section 7.070, by deleting the Section in its entirety and inserting in lieu thereof the following section:

"Section 7.070. There is transferred out of the State Treasury chargeable to the General Revenue fund, Eight Hundred, Sixty-Five Thousand, Six Hundred Seventy-Seven Dollars (\$865,677) to the Missouri Humanities Council Trust Fund as authorized by Section 186.065, RSMo

From General Revenue Fund \$865,677".

On motion of Representative Scheve, **House Amendment No. 1** was adopted.

Representative Klindt offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1107, Page 9, Section 7.080, Line 9, by deleting the figure "\$14,175,002" and inserting in lieu thereof the figure "\$14,195,002"; and

Further amend said section, line 10, by deleting the figure "\$15,115,197" and inserting in lieu the figure "\$15,135,197"; and

Further amend said section, Line 13, by deleting the figure "\$16,448,759" and inserting in lieu thereof the figure "\$16,468,759".

Representative Klindt moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Shields offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1107, Page 20, Section 7.835, Line 4, by deleting the figure “7,555,352” and replacing with the figure “7,036,134”; and

Further amend Line 14, by deleting the figure “8,958,763” and replacing it with the figure “8,439,545”.

Representative Shields moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kelley 47	King
Klindt	Legan	Levin	Linton	Long
Loudon	Luetkemeyer	Marble	McClelland	Merideth
Miller	Murphy	Myers	Naeger	Nordwald
Patek	Phillips	Pouche 30	Pryor	Purgason
Reid	Reinhart	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Townley	Tudor	Vogel
Wright				

NOES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Monaco	Murray
O'Connor	O'Toole	Ostmann	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Surface	Thompson	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Alter	Holand	Kasten	Lograsso	Overschmidt
Stokan	Treadway			

VACANCIES: 002

On motion of Representative Scheve, **HCS HB 1107, as amended**, was adopted.

On motion of Representative Scheve, **HCS HB 1107, as amended**, was ordered perfected and printed.

HCS HB 1108, relating to appropriations, was taken up by Representative Lakin.

Representative Lakin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1108, Page 1, Section 8.005, Line 8, by deleting the figure "\$2,010,58" and inserting in lieu thereof the figure "\$2,010,582"; and

Further amend said bill, Page 5, Section 8.076, Line 4, by deleting the figure "\$300,00" and inserting in lieu thereof the figure "\$300,000"; and

Further amend said bill, Page 7, Section 8.095, Line 8, by deleting the figure "\$7,158,834" and inserting in lieu thereof the figure "\$7,131,834"; and

Further amend said section, Page 8, Line 25, by deleting the figure "\$75,128,681" and inserting in lieu thereof the figure "\$75,101,332"; and

Further amend said bill, Section 8.115, Page 9, Line 11, by deleting the figure "\$169,459" and inserting in lieu thereof the figure "\$170,459"; and

Further amend said bill, Section 8.120, Page 10, by deleting Lines 13, 14 and 15, and inserting in lieu thereof the following:

"Expense and Equipment
From Missouri Air Pollution Control Fund 137,347"; and

Further amend said section, Line 18, by deleting the figure "\$9,836,105" and inserting in lieu thereof the figure "\$9,832,012"; and

Further amend said bill, Section 8.185, Page 15, Line 4, by deleting the figure "\$10,714,693" and inserting in lieu thereof the figure "\$10,740,326"; and

Further amend said section, Line 6, by deleting the figure "\$13,009,110" and inserting in lieu thereof the figure "\$13,034,743"; and

Further amend said section, Line 9, by deleting the figure "\$13,093,610" and inserting in lieu thereof the figure "\$13,119,243".

Representative Wright offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

On motion of Representative Lakin, **House Amendment No. 1** was adopted.

Representative Wright offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1108, Page 7, Section 8.095, Line 6, by deleting the figure "\$5,703,406" and inserting in lieu thereof the figure "\$5,456,876"; and

Further amend said section, Line 7, by deleting the figure "\$1,428,428" and inserting in lieu thereof the figure "\$1,319,195"; and immediately thereafter inserting the following:

"Personal Service and/or Expense and Equipment \$779,046"; and

Further amend said section, Line 8, by deleting the figure "\$7,158,834" and inserting in lieu thereof the figure "\$7,555,117"; and

Further amend said section, Page 8, Line 25, by deleting the line in its entirety and inserting in lieu thereof the following:

"Total (Not to exceed 1,392.00 F.T.E.) \$75,524,615".

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1108, Page 7, Section 8.095, Line 6, by deleting the figure "\$5,703,406" and inserting in lieu thereof the figure "\$5,456,876"; and

Further amend said section, Line 7, by deleting the figure "\$1,428,428" and inserting in lieu thereof the figure "\$1,319,195"; and immediately thereafter inserting the following:

"Personal Service and/or Expense and Equipment 479,000"; and

Further amend said section, Line 8, by deleting the figure "\$7,158,834" and inserting in lieu thereof the figure "\$7,655,117"; and

Further amend said section, Page 8, Line 25, by deleting the line in its entirety and inserting in lieu thereof the following:

"Total (Not to exceed 1,392 F.T.E) 75,224,615"; and

Further amend Section 8.066, by deleting "143,290" and inserting "443,290".

On motion of Representative Hosmer, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

HCS HB 1108, as amended, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 555**, entitled:

An act to amend chapter 253, RSMo, by adding thereto one new section relating to state parks.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 921**, entitled:

An act to repeal section 334.120, RSMo Supp. 1999, relating to professional registration, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 976**, entitled:

An act to amend chapter 192, RSMo, by adding thereto two new sections relating to the office on women's health.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 985**, entitled:

An act to authorize the conveyance of state property to the Optimist Club Foundation of Mexico Missouri, Inc.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 7:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

HCS HB 1108, as amended, relating to appropriations, was again taken up by Representative Lakin.

Representative Pryor offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1108, Page 11, Section 8.135, Line 3, by deleting the figure "\$3,998,492" and inserting in lieu thereof the figure "\$4,617,536"; and

Further amend said section, Page 12, Line 5, by deleting the figure "\$5,215,923" and inserting in lieu thereof the figure "\$5,834,967"; and

Further amend said section, Line 11, by deleting the figure "\$6,844,907" and inserting in lieu thereof the figure "\$7,463,951".

Representative Wiggins offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

House Substitute Amendment No. 1 for House Amendment No. 3 was withdrawn.

Representative Crump offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1108, Page 11, Section 8.135, Line 3, by deleting the figure "\$3,998,492" and inserting in lieu thereof the figure "\$4,298,492"; and

Further amend said section, Page 12, Line 5, by deleting the figure "\$5,215,923" and inserting in lieu thereof the figure "\$5,515,923"; and

Further amend said section, Line 11, by deleting the figure "\$6,844,907" and inserting in lieu thereof the figure "\$7,163,951"; and

Further amend said bill, Section 8.095, Line 7, by deleting the figure "\$1,428,428" and inserting in lieu thereof the figure "\$1,747,472"; and

Further amend said section, Line 8, by deleting "\$7,158,834" and add in lieu thereof the figure "\$7,477,878"; and

Further amend said section, Line 25, by deleting the figure "\$75,128,681" and inserting in lieu thereof the figure "\$75,447,725".

Representative Ridgeway raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Crump, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted by the following vote:

AYES: 111

Abel	Akin	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Britt	Burton	Campbell	Champion
Chrismer	Cierpiot	Crawford	Crump	Curls
Davis 122	Dolan	Elliott	Enz	Evans
Farnen	Fitzwater	Foster	Franklin	Froelker
Gaskill	Gibbons	Graham 106	Graham 24	Gratz
Griesheimer	Gross	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hohulin
Hosmer	Howerton	Kelley 47	Kelly 27	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Levin	Liese	Loudon
Luetkemeyer	Luetkenhaus	Marble	Mays 50	Merideth

Miller	Myers	Naeger	Nordwald	Ostmann
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wright
Mr. Speaker				

NOES: 039

Auer	Boykins	Bray 84	Clayton	Davis 63
Days	Dougherty	Foley	Ford	Fraser
Gambara	George	Green	Gunn	Hagan-Harrell
Harlan	Hilgemann	Hollingsworth	Hoppe	Kennedy
Legan	May 108	McClelland	McKenna	McLuckie
Monaco	Murray	O'Connor	O'Toole	Relford
Reynolds	Scheve	Schilling	Selby	Treadway
Troupe	Van Zandt	Wilson 25	Wilson 42	

PRESENT: 001

Riley

ABSENT WITH LEAVE: 010

Alter	Holand	Kasten	Linton	Lograsso
Long	McBride	Murphy	Overschmidt	Stokan

VACANCIES: 002

On motion of Representative Lakin, **HCS HB 1108, as amended**, was adopted.

On motion of Representative Lakin, **HCS HB 1108, as amended**, was ordered perfected and printed.

HCS HB 1109, relating to appropriations, was taken up by Representative Troupe.

Representative Troupe offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1109, Page 11, Section 9.406, Line 1, by deleting all of said section and inserting in lieu thereof 1 new section to read as follows:

“Section 9.406. To the Department of Corrections, For the Division of Offender Rehabilitative Services for the purpose of funding contractual services for physical health care

Expense and Equipment	
From General Revenue Fund	\$37,814,825
From Federal Funds	3,000,000
Total (0 F.T.E)	\$40,814,825".

Representative Crawford offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1109, Page 1, Section 9.005, Line 7, by inserting immediately thereafter one new section to read as follows:

“Section 9.006. To the Department of Corrections

For the purpose of funding operations within the Department

Personal Service	\$5,449,655
Expense and Equipment	<u>3,081,472</u>
From General Revenue Fund (0 F.T.E.)	\$8,531,127”;

and

Further amend said bill, Section 9.406, by deleting the section and inserting in lieu thereof two new sections to read as follows:

“Section 9.406. To the Department of Corrections

For the Division of Offender Rehabilitative Services

For the purpose of funding contractual services for physical health care

Expense and Equipment	
From General Revenue Fund	\$40,314,825
From Federal Funds	<u>3,000,000</u>
Total (0 F.T.E.)	\$43,314,825

Section 9.407. To the Department of Corrections

For the Division of Offender Rehabilitative Services

For the purpose of funding mental health services or care

Personal Service and/or Expense and Equipment	
From General Revenue Fund (Not to exceed 81.70 F.T.E.)	\$5,542,086”.

Representative Troupe raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Gambaro offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Shields raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** is not properly drafted.

The Chair ruled the point of order well taken.

Representative Gambaro offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**.

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 for House Committee Substitute for House Bill No. 1109, Page 1, Section 9.005, Line 4, by deleting the figure "\$5,449,655" and inserting in lieu thereof the figure "\$1"; and

Further amend said section, Line 5, by deleting the figure "\$3,081,472" and inserting in lieu thereof the figure "\$1"; and

Further amend said section, Line 6, by deleting the figure "\$8,531,127" and inserting in lieu thereof the figure "\$2"; and

Further amend said House Substitute Amendment No. 1, Line 14, by deleting the figure "\$40,314,825" and inserting in lieu thereof the figure "\$38,314,825"; and

Further amend said House Substitute Amendment No. 1, Line 16, by deleting the figure "\$43,314,825" and inserting in lieu thereof the figure "\$41,314,825"; and

Further amend House Substitute Amendment No. 1, by deleting Section 9.407.

Representative Scheve resumed the Chair.

On motion of Representative Gambaro, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 078

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Leake
Liese	Luetkenhaus	May 108	Mays 50	McKenna
McLuckie	Monaco	Murphy	Murray	O'Toole
Parker	Ransdall	Relford	Reynolds	Riley
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 068

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kelley 47	King
Legan	Levin	Lograsso	Loudon	Luetkemeyer
Marble	McClelland	Merideth	Miller	Myers

Naeger	Nordwald	Patek	Phillips	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 015

Alter	Holand	Kasten	Klindt	Lawson
Linton	Long	McBride	O'Connor	Ostmann
Overschmidt	Pouche 30	Rizzo	Stokan	Thompson

VACANCIES: 002

Representative Shields requested verification of the roll call on the adoption of **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**

House Substitute Amendment No. 1, as amended, for House Amendment No. 1, was withdrawn.

Representative Crawford offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1109, Page 1, Section 9.005, Line 7, by inserting immediately thereafter one new section to read as follows:

“Section 9.006. To the Department of Corrections
For the purpose of funding operations within the Department

Personal Service	\$5,549,655
Expense and Equipment	<u>3,181,472</u>
From General Revenue Fund (0 F.T.E.)	\$8,731,127”;

and

Further amend said bill, Section 9.406, by deleting the section and inserting in lieu thereof two new sections to read as follows:

“Section 9.406. To the Department of Corrections
For the Division of Offender Rehabilitative Services
For the purpose of funding contractual services for physical health care

Expense and Equipment	
From General Revenue Fund	\$40,414,825
From Federal Funds	<u>3,000,000</u>
Total (0 F.T.E.)	\$40,414,825

Section 9.407. To the Department of Corrections
For the Division of Offender Rehabilitative Services
For the purpose of funding mental health services or care

Personal Service and/or Expense and Equipment	
From General Revenue Fund (Not to exceed 81.70 F.T.E.)	\$5,642,086”.

Representative Shields offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1 for House Committee Substitute for House Bill No. 1109, Page 1, Line 2, by changing the Section "9.006" to Section "9.0065".

Speaker Pro Tem Kreider assumed the Chair.

Representative Shields moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kelley 47	King
Klindt	Legan	Levin	Lograsso	Loudon
Luetkemeyer	Marble	McClelland	Miller	Myers
Naeger	Nordwald	Patek	Phillips	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

NOES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McKenna	McLuckie	Merideth	Monaco	Murphy
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 010

Alter	Holand	Kasten	Linton	Long
McBride	Ostmann	Pouche 30	Robirds	Stokan

VACANCIES: 002

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Speaker Gaw resumed the Chair.

On motion of Representative Troupe, **House Amendment No. 1** was adopted.

Representative Relford offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1109, Page 1, Section 9.005, Line 7, by inserting immediately thereafter one new section to read as follows:

“Section 9.006. To the Department of Corrections
 For the purpose of funding operations within the Department
 Expense and Equipment
 From General Revenue Fund (0 F.T.E.) \$3,081,472;
 and

Further amend said bill, Section 9.050, Line 6, by deleting the figure “\$10,278,800” and inserting in lieu thereof the figure “\$15,728,455”; and

Further amend said line, by deleting the figure “(0F.T.E.)”.

Speaker Pro Tem Kreider resumed the Chair.

On motion of Representative Relford, **House Amendment No. 2** was adopted by the following vote:

AYES: 147

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Foster	Franklin	Fraser	Gambara	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Lograsso	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco

Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Parker	Patek
Phillips	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Hohulin Pryor

PRESENT: 001

Froelker

ABSENT WITH LEAVE: 011

Alter	Ford	Holand	Kasten	Linton
Long	McBride	Ostmann	Pouche 30	Rizzo
Stokan				

VACANCIES: 002

Representative Backer requested verification of the roll call on the adoption of **House Amendment No. 2.**

Representative Seigfreid offered **House Amendment No. 3.**

House Amendment No. 3 was withdrawn.

Representative Parker offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1109, Page 2, Section 9.011, Line 1, by deleting lines 1-5 in their entirety.

Representative Dougherty offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1109, Page 2, Section 9.011, Line 1, by inserting "Employee and Crime Victims and Citizens" before the word "Ombudsman".

Representative Dougherty moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Parker, **House Amendment No. 3** was adopted by the following vote:

AYES: 102

Abel	Akin	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Blunt	Boatright	Bonner	Britt
Burton	Champion	Chrismer	Cierpiot	Clayton
Crump	Davis 122	Dolan	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Froelker	Gaskill	Gratz	Green
Griesheimer	Gross	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Hollingsworth
Hosmer	Howerton	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Leake
Legan	Levin	Lograsso	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McKenna
Merideth	Miller	Monaco	Naeger	Nordwald
Overschmidt	Parker	Phillips	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Skaggs	Summers	Surface	Townley	Treadway
Vogel	Wagner	Ward	Wiggins	Williams 159
Wright	Mr. Speaker			

NOES: 044

Black	Boucher 48	Boykins	Bray 84	Campbell
Crawford	Curls	Davis 63	Days	Dougherty
Franklin	Fraser	Gambaro	George	Gibbons
Graham 106	Graham 24	Gunn	Hagan-Harrell	Harlan
Hickey	Hilgemann	Hoppe	Kelley 47	Kelly 27
Lawson	Liese	McClelland	McLuckie	Murphy
Murray	O'Connor	Patek	Riley	Schilling
Shields	Smith	Thompson	Troupe	Tudor
Van Zandt	Williams 121	Wilson 25	Wilson 42	

PRESENT: 001

Myers

ABSENT WITH LEAVE: 014

Alter	Auer	Holand	Kasten	Linton
Long	McBride	O'Toole	Ostmann	Pouche 30
Rizzo	Robirds	Shelton	Stokan	

VACANCIES: 002

On motion of Representative Troupe, **HCS HB 1109, as amended**, was adopted.

On motion of Representative Troupe, **HCS HB 1109, as amended**, was ordered perfected and printed.

Speaker Gaw resumed the Chair.

HCS HB 1110, relating to appropriations, was taken up by Representative Riback Wilson (25).

Representative Reynolds offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1110, Page 28, Section 10.710, Lines 40-42, by deleting said lines and inserting in lieu thereof the following:

- “(c) Expenses;
- (d) Employee wages or salaries; or
- (e) Equipment or supplies, including but not limited to computers,”.

Representative Bray offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Shields raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order well taken.

On motion of Representative Reynolds, **House Amendment No. 1** was adopted.

Representative Bray offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1110, Pages 27-31, Section 10.710, Lines 3-153, by deleting all of said lines.

Representative Bray moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 039

Abel	Backer	Boykins	Bray 84	Campbell
Clayton	Davis 122	Days	Fitzwater	Ford
Fraser	Graham 24	Gunn	Hagan-Harrell	Harlan
Hilgemann	Hollingsworth	Hosmer	Kelly 27	Kreider
Lakin	May 108	Mays 50	McClelland	McLuckie
Relford	Riley	Scheve	Schilling	Shelton
Skaggs	Smith	Thompson	Troupe	Van Zandt
Williams 121	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 109

Akin	Auer	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Britt	Burton	Champion	Chrismer	Cierpiot
Crawford	Crump	Curls	Davis 63	Dolan
Elliot	Enz	Evans	Farnen	Foley
Foster	Froelker	Gambara	Gaskill	George
Gibbons	Graham 106	Gratz	Green	Griesheimer
Gross	Hampton	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Howerton	Kelley 47	Kennedy	King	Kissell
Klindt	Koller	Lawson	Leake	Legan
Levin	Liese	Lograsso	Loudon	Luetkemeyer

Luetkenhaus	Marble	McKenna	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Parker
Patek	Phillips	Pryor	Purgason	Ransdall
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Ross	Sallee	Schwab	Scott	Secrest
Seigfreid	Selby	Shields	Summers	Surface
Townley	Treadway	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 159	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 013

Alter	Dougherty	Franklin	Holand	Kasten
Linton	Long	McBride	Ostmann	Pouche 30
Rizzo	Robirds	Stokan		

VACANCIES: 002

Representative Lograsso offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1110, Page 13, Section 10.415, Line 9, by deleting the number "19,366,284" and inserting in lieu thereof the number "22,697,989"; and on Line 17 of said section by deleting the number "3,514,965" and inserting in lieu thereof the number "4,004,965"; and

Further amend said bill, Page 14, Section 10.420, Line 5, by deleting the number "291,305" and inserting in lieu thereof the number "541,305" and amend all totals accordingly.

Representative Green assumed the Chair.

On motion of Representative Lograsso, **House Amendment No. 3** was adopted by the following vote:

AYES: 132

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Froelker
Gambaro	George	Gibbons	Graham 106	Gratz
Green	Griesheimer	Gross	Gunn	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Lograsso	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Patek	Phillips	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Ross	Sallee
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Smith	Summers

Surface	Thompson	Townley	Treadway	Tudor
Vogel	Wagner	Ward	Wiggins	Williams 159
Wright	Mr. Speaker			

NOES: 015

Boykins	Bray 84	Days	Franklin	Fraser
Graham 24	Hagan-Harrell	Harlan	Schilling	Skaggs
Troupe	Van Zandt	Williams 121	Wilson 25	Wilson 42

PRESENT: 001

Riley

ABSENT WITH LEAVE: 013

Alter	Gaskill	Holand	Kasten	Linton
Long	McBride	Ostmann	Parker	Pouche 30
Rizzo	Robirds	Stokan		

VACANCIES: 002

Representative Reid offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1110, Page 13, Section 10.415, Line 4, by deleting the figure "\$68,759,772" and inserting in lieu thereof the figure "\$75,302,653"; and

Further amend said section, Page 14, Line 22, accordingly.

Representative Reynolds offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1110, Page 13, Section 10.415, Line 4, by deleting the figure "\$68,759,772" and inserting in lieu thereof the figure "\$70,679,437"; and

Further amend said section, Page 14, Line 22, accordingly.

On motion of Representative Reynolds, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted by the following vote:

AYES: 121

Abel	Akin	Auer	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Britt	Burton	Campbell	Champion
Chrismer	Cierpiot	Crawford	Curls	Davis 122
Davis 63	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Foley	Ford	Foster
Froelker	Gambaro	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hohulin

Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Leake	Legan	Levin	Lograsso	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	McClelland
McKenna	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Parker	Patek	Phillips
Pryor	Purgason	Ransdall	Reid	Reinhart
Reynolds	Ridgeway	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Summers	Surface
Townley	Treadway	Troupe	Tudor	Vogel
Wagner	Ward	Wiggins	Williams 159	Wright
Mr. Speaker				

NOES: 020

Boykins	Bray 84	Clayton	Days	Fitzwater
Franklin	Fraser	Harlan	Hilgemann	Mays 50
McLuckie	Relford	Riley	Schilling	Smith
Thompson	Van Zandt	Williams 121	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 020

Alter	Ballard	Crump	Gaskill	Holand
Hollingsworth	Kasten	Kreider	Lakin	Lawson
Liese	Linton	Long	McBride	Ostmann
Pouche 30	Richardson	Rizzo	Robirds	Stokan

VACANCIES: 002

On motion of Representative Riback Wilson (25), **HCS HB 1110, as amended**, was adopted.

On motion of Representative Riback Wilson (25), **HCS HB 1110, as amended**, was ordered perfected and printed.

HCS HB 1111, relating to appropriations, was taken up by Representative Troupe.

Representative Hosmer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1111, Page 20, Section 11.300, Line 9, by deleting the underline; and

Further amend said section, Page 20, Line 9, by inserting a new line to read:

“For the purpose of funding the operations of scared straight type programs including, but not limited to, the youth services group program operating at the Jefferson City Correctional Center

Personal Service

From General Revenue Fund \$100,000"; and

Further amend said section, Line 10, by deleting all of said line and inserting in lieu thereof the following:

“Total (Not to exceed 73.62 F.T.E.) \$3,162,986"; and

Further amend said bill, Page 20, Section 11.310, Line 5, by deleting the figure "\$6,590,000" and inserting in lieu thereof the figure "\$6,490,000"; and

Further amend said section, Line 7, by deleting the figure "\$7,090,000" and inserting in lieu thereof the figure "\$6,990,000".

On motion of Representative Hosmer, **House Amendment No. 1** was adopted.

Representative Gibbons offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1111, Page 10, Section 11.135, Line 6, by deleting the sum "\$3,286,335" and inserting in lieu thereof the sum "\$2,786,335"; and

Further amend said bill, Section 11.140, Line 5, by deleting the sum "\$13,526,938" and inserting in lieu thereof the sum "\$13,026,938"; and

Further amend said bill, Page 11, Section 11.145, Line 15, by deleting the sum "\$40,033,913" and inserting in lieu thereof the sum "\$39,533,913"; and

Further amend said bill, Page 22, Section 11.410, Line 4, by deleting the sum "\$5,830,320" and inserting in lieu thereof the sum "\$4,985,317"; and

Further amend said bill, Page 29, Section 11.505, Line 7, by deleting the sum "\$1,154,997" and inserting in lieu thereof the sum "\$3,500,000".

Representative Evans offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1111, Page 10, Section 11.135, Line 6, by deleting the sum "\$3,286,335" and inserting in lieu thereof the sum "\$2,786,335"; and

Further amend said bill, Section 11.140, Line 5, by deleting the sum "\$13,526,938" and inserting in lieu thereof "\$13,026,938"; and

Further amend said bill, Page 11, Section 11.145, Line 15, by deleting the sum "\$40,033,913" and inserting in lieu thereof the sum "\$39,533,913"; and

Further amend said bill, Page 22, Section 11.410, Line 4, by deleting the sum "\$5,830,320" and inserting in lieu thereof the sum "\$4,985,317"; and

Further amend said bill, Page 27, Section 11.470, Line 7, by deleting the sum "\$29,058,978" and inserting in lieu thereof the sum "\$28,558,978"; and

Further amend said bill, Page 29, Section 11.505, Line 7, by deleting the sum "\$1,154,997" and inserting in lieu thereof the sum "\$4,000,000".

Representative Scheve assumed the Chair.

Representative Evans moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated.

House Amendment No. 2 was withdrawn.

On motion of Representative Troupe, **HCS HB 1111, as amended**, was adopted.

On motion of Representative Troupe, **HCS HB 1111, as amended**, was ordered perfected and printed.

HCS HB 1112, relating to appropriations, was taken up by Representative Green.

Representative Williams (159) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1112, Pages 17 and 18, Section 12.400, Line 13, by deleting from said line the figure "\$9,778,182" and inserting in lieu thereof the figure "\$10,028,582"; and

Further amend said section, Line 19, by deleting from said line the figure "\$12,169,925" and inserting in lieu thereof the figure "\$12,420,325"; and

Further amend said section, Line 22, by deleting from said line the figure "\$12,209,925" and inserting in lieu thereof the figure "\$12,460,325"; and

Further amend said bill, Page 18, Section 12.405, Line 19, by deleting from said line the figure "\$453,353" and inserting in lieu thereof the figure "\$703,753"; and

Further amend said section, Line 20, by deleting from said line the figure "\$21,239,679" and inserting in lieu thereof the figure "\$21,490,079"; and

Further amend said section, Line 23, by deleting from said line the figure "\$21,284,679" and inserting in lieu thereof the figure "\$21,535,079".

Speaker Gaw resumed the Chair.

On motion of Representative Williams (159), **House Amendment No. 1** was adopted.

Representative Green offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1112, Page 16, Section 12.270, Line 4, by inserting after said line the following:

“Section 12.275. To General Revenue

There is transferred out the General Revenue portion of expense and equipment for the Supreme Court an amount equal to five percent
From the Supreme Court General Revenue Expense and Equipment (\$489,327)”; and

Further amend said bill, Page 19, Section 12.430, Line 5, by inserting after said line the following:

“Section 12.435. To General Revenue

There is transferred out the General Revenue portion of expense and equipment for the Senate, the House of Representatives and the Committee on Legislative Research an amount equal to five percent
From the Senate, the House of Representatives and the Committee on Legislative Research General Revenue Expense and Equipment (\$464,419)”.

On motion of Representative Green, **House Amendment No. 2** was adopted.

Representative Lakin offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1112, Page 18, Section 12.405, Line 18, by deleting from said line the figure “\$5,672,863” and inserting in lieu thereof the figure “\$5,642,863”; and

Further amend said section, Line 20, by deleting from said line the figure “\$21,239,679” and inserting in lieu thereof the figure “\$21,209,679”; and

Further amend said section, Lines 21 through 23, by deleting said lines and inserting in lieu thereof the following:

“House Contingent Expenses	
From House of Representatives Revolving Fund	\$45,000
House Contingent Expenses	
From Donations for House Piano Restoration	<u>1E</u>
Total	\$21,254,680”.

Representative Koller offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1112, Page 18, Section 12.405, Line 22, by replacing the figure “\$45,000” with the figure “\$75,000”; and

Further amend Line 23, by replacing the figure “\$21,284,679” with the figure “\$21,814,679”.

On motion of Representative Shields, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Parker offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1112, Page 3, Section 12.04a, Line 7, by adding after said line the following new section:

“Section 12.041 To the Lieutenant Governor for the purpose of funding a Crime Victim Rights Ombudsman.
From General Revenue (0 F.T.E.) \$150,000”.

On motion of Representative Parker, **House Amendment No. 4** was adopted.

On motion of Representative Lakin, **HCS HB 1112, as amended**, was adopted.

On motion of Representative Lakin, **HCS HB 1112, as amended**, was ordered perfected and printed.

COMMITTEE REPORT

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1659**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 26, introduced by Representative Patek, declaring June 3, 2000 as "KC150 Day", in celebration of the 150th Anniversary of Kansas City.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2132, introduced by Representative Chrismer, relating to the establishment of the Veterans' Memorial Bridge.

HB 2133, introduced by Representatives Dougherty and Auer, et al, relating to taxation for band funds in certain municipalities.

HB 2134, introduced by Representative Gibbons, relating to abandonment of a child.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Hilgemann has been appointed a member of the Municipal Corporations Committee.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 16, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fortieth Day, Tuesday, March 14, 2000, pages 568 and 569, roll call, by showing Representatives Chrismer and Nordwald voting "aye" rather than "absent with leave".

Pages 568 and 569, roll call, by showing Representative Hosmer voting "no" rather than "absent with leave".

Pages 575 and 576, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 575 and 576, roll call, by showing Representative Gambaro voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Thursday, March 16, 2000, 9:30 am. Side gallery.
Executive Session. To be considered - HB 2066

CHILDREN, YOUTH AND FAMILIES

Thursday, March 16, 2000, 9:00 am. Hearing Room 3.
RESCHEDULED. Executive Session. AMENDED.
To be considered - HB 1946, HB 1962, HCR 7

CIVIL AND ADMINISTRATIVE LAW

Thursday, March 16, 2000, 8:30 am. Hearing Room 7.
To be considered - HB 1664, HB 1935, Executive Session - HB 1646

CRIMINAL LAW

Thursday, March 16, 2000. Side gallery upon adjournment.
Executive Session.

EDUCATION - ELEMENTARY AND SECONDARY

Monday, March 27, 2000, 2:00 pm. Hearing Room 1.

To be considered - HB 1620, HB 1785, HB 1788, HB 1854, HB 1957, HB 2022

ETHICS

Thursday, March 16, 2000. Side gallery upon adjournment.

Changes to Caucuses.

GOVERNMENTAL ORGANIZATION AND REVIEW

Thursday, March 16, 2000. Side gallery fifteen minutes before morning session.

Executive Session.

To be considered - HB 1218, HB 2092

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, March 16, 2000, 9:00 am. Hearing Room 5.

Recommendation for approval of report from Oversight Subcommittee.

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, March 16, 2000, 9:45 am. Side gallery.

Executive Session.

SUBCOMMITTEE ON LEGISLATIVE RESEARCH AND OVERSIGHT

Thursday, March 16, 2000, 9:30 am. Hearing Room 5.

Challenge fiscal note: HB 1447

URBAN AFFAIRS

Thursday, March 16, 2000, 9:15 am. Hearing Room 1.

Executive Session.

HOUSE CALENDAR

FORTY-SECOND DAY, THURSDAY, MARCH 16, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 26

HOUSE BILLS FOR SECOND READING

HB 2132 through HB 2134

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HB 1615, HS, as amended, pending - Hosmer
- 2 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 3 HB 1238 - Hoppe
- 4 HCS HB 1242 - Treadway
- 5 HB 1472 - Smith
- 6 HCS HB 1434 - Skaggs
- 7 HCS HB 1481 - Smith
- 8 HCS HB 1305 - Rizzo
- 9 HCS HB 1574 & 1640 - Britt
- 10 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 11 HCS HB 1652 & 1433 - Hoppe
- 12 HB 1603, HCA 1 and HCA 2 - O'Connor
- 13 HCS HB 1711 - Abel
- 14 HCS HB 1797 - Gratz
- 15 HCS HB 1569 - Bray
- 16 HCS HB 1932 - Harlan
- 17 HCS HB 1967 - Hoppe
- 18 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 1101 - Green
- 2 HCS HB 1102 - Lakin
- 3 HCS HB 1103 - Lakin
- 4 HCS HB 1104 - Green
- 5 HCS HB 1105 - Green
- 6 HCS HB 1106 - Scheve
- 7 HCS HB 1107 - Scheve
- 8 HCS HB 1108 - Lakin
- 9 HCS HB 1109 - Troupe
- 10 HCS HB 1110 - Riback Wilson (25)
- 11 HCS HB 1111 - Troupe
- 12 HCS HB 1112 - Green

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1566 & 1810, E.C. - Bray
- 2 HCS HB 1386 & 1086 - Britt
- 3 HS HCS HB 1076, E.C. - Relford

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1085 - Selby
- 2 HB 1396 - Farnen
- 3 HB 1097 - Hosmer
- 4 HB 1289 - Auer
- 5 HB 1335 - Scheve
- 6 HB 1848 - Treadway
- 7 HB 1923, E.C. - Ransdall
- 8 HB 1875 - Franklin
- 9 HB 1802 - Monaco
- 10 HB 1544 - Smith
- 11 HB 1591 - Backer
- 12 HB 1739 - Auer
- 13 HB 1486 - Abel
- 14 HB 1509 - Hosmer
- 15 HB 1374 - Graham (24)
- 16 HB 1465 - Ransdall
- 17 HB 1706 - Gambaro
- 18 HB 1428 - Hickey
- 19 HB 1454 - Hoppe
- 20 HB 1604 - Graham (106)
- 21 HB 1568 - Riback Wilson (25)
- 22 HB 1596 - Auer
- 23 HB 1685 - Smith
- 24 HB 1948 - Gratz
- 25 HB 1825 - Klindt
- 26 HB 1077 - Relford
- 27 HB 1808 - O'Toole
- 28 HB 1499 - Hoppe
- 29 HB 1647 - Skaggs
- 30 HB 1631 - Hoppe
- 31 HB 1841 - Kreider
- 32 HB 1579 - Hoppe

SENATE BILLS FOR SECOND READING

- 1 SB 555
- 2 SB 921
- 3 SCS SB 976
- 4 SB 985

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

[CORRECTED]

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FORTY-SECOND DAY, THURSDAY, MARCH 16, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

We come in prayer to You, Lord of Life. You never need to sleep or rest, or take back any word, to apologize for any rash act, to correct any message. Have patience with us, and deliver us from a lack of patience with one another.

Bless the members of this House, and those who support and work with them. Guard them against allowing personal interests to replace the interests of the people of our state. And to You be honor and glory, forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jordan Russell, Braden Russell, Daniel Grell, Tye Weston, Ashley Lechner, Katie Hockman, Jake Justus, Clayton Bagby, Tara White, Sarah King, Tyler Shults, Kirsten Stephens, Maggie Richmond, Ryan Thompson, Scotty Westerman, Ellie Nothaus, Kirstin Lunn, William Richter, Joseph Scarbrough, Alex Thompson, Emily Noll, Paige Hinshaw and Austin Aaron.

The Journal of the forty-first day was approved as corrected by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Berkstresser	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker

Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kelley 47	King	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	McClelland	Miller
Murphy	Myers	Naeger	Nordwald	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Summers	Surface	Townley	Tudor	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 006

Akin	Alter	Holand	Kasten	Ostmann
Stokan				

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 600 - Representative Monaco
House Resolution No. 601
and
House Resolution No. 602 - Representative McClelland
House Resolution No. 603 - Representative Holand
House Resolution No. 604 - Representative Monaco
House Resolution No. 605
and
House Resolution No. 606 - Representative Ross
House Resolution No. 607
and
House Resolution No. 608 - Representative Fraser
House Resolution No. 609 - Representative Burton
House Resolution No. 610 - Representative Marble
House Resolution No. 611 - Representative Hegeman
House Resolution No. 612 - Representative Reinhart
House Resolution No. 613
and
House Resolution No. 614 - Representative Griesheimer
House Resolution No. 615 - Representative Green
House Resolution No. 616 - Representative Champion
House Resolution No. 617 - Representative Shields
House Resolution No. 618 - Representative Howerton
House Resolution No. 619
and
House Resolution No. 620 - Representative Hampton
House Resolution No. 621 - Representative Wilson (42)
House Resolution No. 622 - Representative Townley
House Resolution No. 623 - Representative Ross

House Resolution No. 624 - Representative Ridgeway
House Resolution No. 625 - Representative Myers
House Resolution No. 626
and
House Resolution No. 627 - Representative Campbell
House Resolution No. 628 - Representative Akin
House Resolution No. 629 - Representative Levin
House Resolution No. 630 - Representative Dolan
House Resolution No. 631 - Representative Franklin
House Resolution No. 632 - Representative McKenna

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 26 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2132 through **HB 2134** were read the second time.

SECOND READING OF SENATE BILLS

SB 555, SB 921, SCS SB 976 and **SB 985** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1101, HCS HB 1102, HCS HB 1103, HCS HB 1104, HCS HB 1105, HCS HB 1106, HCS HB 1107, HCS HB 1108, HCS HB 1109, HCS HB 1110, HCS HB 1111** and **HCS HB 1112** begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HS HCS HBs 1566 & 1810, relating to small business tax credits, was taken up by Representative Bray.

On motion of Representative Bray, **HS HCS HBs 1566 & 1810** was read the third time and passed by the following vote:

AYES: 153

Abel
Barry 100
Berkstresser

Auer
Bartelsmeyer
Black

Backer
Bartle
Blunt

Ballard
Bennett
Boatright

Barnett
Berkowitz
Bonner

Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Akin	Alter	Chrismer	Holand	Kasten
Ostmann	Shields	Stokan		

VACANCIES: 002

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Abel	Auer	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt

Parker	Patek	Phillips	Pouche 30	Purgason
Ransdall	Reinhart	Relford	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 004

Froelker	Hohulin	Pryor	Reid
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PRESENT: 000

ABSENT WITH LEAVE: 009

Akin	Alter	Cierpiot	Holand	Kasten
Ostmann	Reynolds	Sallee	Stokan	

VACANCIES: 002

On motion of Representative Ward, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Williams (121) moved that motion lay on the table.

The later motion prevailed.

HCS HBs 1386 & 1086, relating to financial exploitation, was taken up by Representative Britt.

On motion of Representative Britt, **HCS HBs 1386 & 1086** was read the third time and passed by the following vote:

AYES: 151

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	Kissell	Klindt
Koller	Kreider	Lakin	Leake	Legan
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt

Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Froelker

PRESENT: 000

ABSENT WITH LEAVE: 009

Alter	Holand	Kasten	King	Lawson
Levin	Ostmann	Scott	Stokan	

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Seigfreid, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 1076, relating to reading ability and promotion, was taken up by Representative Relford.

On motion of Representative Relford, **HS HCS HB 1076** was read the third time and passed by the following vote:

AYES: 153

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kennedy	King	Kissell	Klindt
Koller	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108

Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Campbell	Kelly 27	Kreider
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PRESENT: 000

ABSENT WITH LEAVE: 005

Alter	Holand	Kasten	Ostmann	Stokan
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VACANCIES: 002

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Liese	Long	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 008

Cierpiot	Hanaway	Hendrickson	Hohulin	Kelly 27
Loudon	Reid	Ridgeway		

PRESENT: 000

ABSENT WITH LEAVE: 012

Alter	Chrismer	Foster	Holand	Kasten
Levin	Linton	Lograsso	Merideth	Ostmann
Stokan	Van Zandt			

VACANCIES: 002

On motion of Representative Parker, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative Mays (50) moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1101, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 1101** was read the third time and passed by the following vote:

AYES: 155

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Alter	Holand	Kasten	McLuckie	Ostmann
Stokan				

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative May (108), title to the bill was agreed to.

Representative Leake moved that the vote by which the bill passed be reconsidered.

Representative Kissell moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1102, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, **HCS HB 1102** was read the third time and passed by the following vote:

AYES: 148

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 008

Blunt	Boatright	Chrismer	Hanaway	Hohulin
Linton	Pryor	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Alter	Holand	Kasten	Ostmann	Stokan
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VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Gambaro, title to the bill was agreed to.

Representative McBride moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1103, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, **HCS HB 1103** was read the third time and passed by the following vote:

AYES: 149

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 006

Bartelsmeyer	Blunt	Hanaway	Kennedy	Linton
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 006

Alter	Holand	Kasten	McLuckie	Ostmann
Stokan				

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Thompson, title to the bill was agreed to.

Representative Selby moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1104, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1104** was read the third time and passed by the following vote:

AYES: 144

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Berkowitz	Berkstresser	Black	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Overschmidt	Parker	Patek	Pouche 30	Pryor
Ransdall	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 012

Akin	Ballard	Bartelsmeyer	Bartle	Blunt
Boatright	Hanaway	Linton	Phillips	Purgason
Reid	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 005

Alter	Holand	Kasten	Ostmann	Stokan
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VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1105, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1105** was read the third time and passed by the following vote:

AYES: 126

Abel	Auer	Backer	Ballard	Barnett
Barry 100	Bennett	Berkowitz	Berkstresser	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hegeman	Hickey	Hilgemann
Hohulin	Hollingsworth	Hoppe	Kelley 47	Kelly 27
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Long	Loudon	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Pouche 30	Ransdall	Relford	Reynolds
Richardson	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 030

Akin	Bartelsmeyer	Bartle	Black	Blunt
Boatright	Cierpiot	Enz	Hanaway	Hartzler 124
Hendrickson	Hosmer	Howerton	Kennedy	King
Linton	Lograsso	Luetkemeyer	Miller	Patek
Phillips	Pryor	Purgason	Reid	Reinhart
Ridgeway	Smith	Summers	Surface	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Alter Holand Kasten Ostmann Stokan

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Skaggs, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Riley moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1106, relating to appropriations, was taken up by Representative Scheve.

On motion of Representative Scheve, **HCS HB 1106** was read the third time and passed by the following vote:

AYES: 130

Abel	Backer	Barnett	Barry 100	Bennett
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher 48	Boykins	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Gambaro	Gaskill	George	Graham 106
Graham 24	Gratz	Green	Gross	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Long	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Ransdall	Reid	Reinhart
Relford	Richardson	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Thompson	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 026

Akin	Auer	Ballard	Bartelsmeyer	Bartle
Blunt	Bray 84	Evans	Froelker	Gibbons
Griesheimer	Gunn	Hanaway	Hohulin	Linton
Lograsso	Loudon	Purgason	Reynolds	Ridgeway
Robirds	Scott	Surface	Townley	Treadway
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 005

Alter	Holand	Kasten	Ostmann	Stokan
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VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Hosmer, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Graham (24) moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1107, relating to appropriations, was taken up by Representative Scheve.

On motion of Representative Scheve, **HCS HB 1107** was read the third time and passed by the following vote:

AYES: 143

Abel	Auer	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bennett	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher 48	Boykins
Bray 84	Britt	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Patek	Phillips	Pouche 30
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 011

Akin	Bartle	Blunt	Hanaway	Hohulin
Linton	Pryor	Purgason	Secrest	Townley
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Alter	Holand	Kasten	Lograsso	Ostmann
Parker	Stokan			

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1108, relating to appropriations, was taken up by Representative Lakin.

Representative Lakin offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1108, Page 7, Section 8.095, Line 9, by deleting the figure "7,477,878" and inserting in lieu thereof the figure "7,683,342"; and

Further amend said section, Page 8, Line 26, by deleting the figure "75,447,725" and inserting in lieu thereof the following: "75,652,840".

On motion of Representative Lakin, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Lakin, **HCS HB 1108, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	May 108	Mays 50

McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 005

Blunt	Hanaway	Hohulin	Murphy	Wright
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PRESENT: 001

Patek

ABSENT WITH LEAVE: 008

Alter	Holand	Kasten	Marble	Ostmann
Parker	Shields	Stokan		

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Williams (159), title to the bill was agreed to.

Representative Berkowitz moved that the vote by which the bill passed be reconsidered.

Representative Campbell moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1109, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **HCS HB 1109** was read the third time and passed by the following vote:

AYES: 142

Abel	Auer	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler124	Hegeman	Hendrickson	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake

Legan	Levin	Liese	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 012

Akin	Blunt	Evans	Foster	Hanaway
Hohulin	Linton	Loudon	Miller	Murphy
Pryor	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 007

Alter	Holand	Kasten	Kelly 27	Ostmann
Parker	Stokan			

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Backer, title to the bill was agreed to.

Representative Curls moved that the vote by which the bill passed be reconsidered.

Representative Fraser moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1110, relating to appropriations, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **HCS HB 1110** was read the third time and passed by the following vote:

AYES: 140

Abel	Auer	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bennett	Berkowitz	Berkstresser
Black	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	King	Kissell	Klindt	Koller

Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Patek
Phillips	Pouche 30	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 012

Akin	Bartle	Blunt	Boatright	Evans
Hanaway	Hohulin	Kennedy	Loudon	Murphy
Purgason	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Alter	Holand	Kasten	Ostmann	Parker
Pryor	Sallee	Stokan	Van Zandt	

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Hampton moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1111, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **HCS HB 1111** was read the third time and passed by the following vote:

AYES: 125

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Berkowitz	Berkstresser	Black	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Gambaro
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Long	Luetkemeyer

Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Patek	Pouche 30
Ransdall	Relford	Reynolds	Richardson	Riley
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 028

Akin	Ballard	Bartelsmeyer	Bartle	Blunt
Boatright	Chrismer	Cierpiot	Enz	Evans
Froelker	Gaskill	Gross	Hanaway	Hendrickson
Hohulin	Linton	Lograsso	Loudon	Murphy
Phillips	Pryor	Purgason	Reid	Reinhart
Ridgeway	Robirds	Wright		

PRESENT: 001

Smith

ABSENT WITH LEAVE: 007

Alter	Holand	Howerton	Kasten	Ostmann
Parker	Stokan			

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Hilgemann, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Hagan-Harrell moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1112, relating to appropriations, was taken up by Representative Green.

Representative Green offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND Perfected House Committee Substitute for House Bill No. 1112, Page 19, Section 12.405, Line 23, by deleting from said line the figure "\$21,314,679" and inserting in lieu thereof the figure "\$21,565,079".

On motion of Representative Green, **House Perfecting Amendment No. 1** was adopted.

Representative Dougherty assumed the Chair.

On motion of Representative Lakin, **HCS HB 1112, as amended**, was read the third time and passed by the following vote:

AYES: 102

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Berkowitz	Bonner	Boucher 48	Boykins
Bray 84	Britt	Burton	Campbell	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambaro	Gibbons
Graham 106	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Harlan	Hartzler 123	Hegeman	Hickey
Hilgemann	Hollingsworth	Hoppe	Kelley 47	Kelly 27
Kennedy	Klindt	Kreider	Lakin	Lawson
Leake	Legan	Liese	Long	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Monaco	Murray
Nordwald	O'Connor	O'Toole	Overschmidt	Pryor
Ransdall	Relford	Reynolds	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 052

Akin	Ballard	Bartelsmeyer	Bartle	Berkstresser
Black	Blunt	Boatright	Champion	Chrismer
Cierpiot	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	George	Griesheimer
Gross	Hampton	Hanaway	Hartzler 124	Hendrickson
Hohulin	Howerton	King	Kissell	Koller
Levin	Linton	Lograsso	Loudon	Luetkemeyer
Miller	Murphy	Myers	Naeger	Patek
Phillips	Pouche 30	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Secrest	Summers
Surface	Wright			

PRESENT: 001

Hosmer

ABSENT WITH LEAVE: 006

Alter	Holand	Kasten	Ostmann	Parker
Stokan				

VACANCIES: 002

Representative Dougherty declared the bill passed.

On motion of Representative Leake, title to the bill was agreed to.

Representative Abel moved that the vote by which the bill passed be reconsidered.

Representative Barry moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS - INFORMAL

HCS HB 1362, with HS, as amended, pending, relating to health insurance, was taken up and placed back on the Informal Calendar.

HCS HB 1602, as amended, relating to livestock sales regulations, was taken up and placed back on the Informal Calendar.

HCS HB 1143, as amended, relating to senior environmental corps, was taken up and placed back on the Informal Calendar.

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Williams (159) reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1674**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1762**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 1946**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 1962, HB 1943, HB 1425 and HB 1419**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **HB 1954**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1619**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HCR 23**, begs leave

to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 27, introduced by Representative Ross, et al, relating to U. S. Congress to provide lifetime health insurance benefits for military retirees over the age of sixty-five.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2135, introduced by Representative McLuckie, relating to the labor standards of apparel suppliers to state entities.

HB 2136, introduced by Representatives Naeger, Nordwald, Griesheimer, Hoppe, Ransdall and Wiggins, relating to on-site sewage treatment systems.

HB 2137, introduced by Representative Gross, et al, relating to domestic violence.

HB 2138, introduced by Representatives Secrest, Marble, Hartzler (124), Pouche, Patek, Scott, Froelker and Loudon, et al, relating to worker's compensation.

HB 2139, introduced by Representatives Secrest, Marble, Hartzler (124), Scott, Naeger, Gross, Chrismer, Loudon, Patek, Pouche and Bennett, et al, relating to employment.

HB 2140, introduced by Representatives Secrest, Scott, Loudon, Bennett, Marble, Chrismer, Patek, Hartzler (124), Gross and Pouche, et al, relating to eligibility for employment security benefits.

HB 2141, introduced by Representatives Gaskill, Tudor, Chrismer, Bennett, Robirds, Gross, Boucher and Secrest, et al, relating to income taxation.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 896**, entitled:

An act to repeal sections 359.091 and 359.481, RSMo 1994, and sections 347.137, 347.141, 351.482 and 359.451, RSMo Supp. 1999, relating to business organizations, and to enact in lieu thereof six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 915**, entitled:

An act to repeal section 214.205, RSMo 1994, relating to cemeteries, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 940**, entitled:

An act to repeal sections 311.510, 311.540 and 312.210, RSMo 1994, and sections 311.070 and 311.485, RSMo Supp. 1999, relating to liquor control, and to enact in lieu thereof five new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 953**, entitled:

An act to repeal section 172.360, RSMo 1994, relating to tuition at the University of Missouri, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 961**, entitled:

An act to repeal section 173.239, RSMo Supp. 1999, relating to educational assistance for members of the Missouri national guard, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SRB 1001**, entitled:

An act to repeal sections 67.401, 70.430, 87.287, 94.576, 191.599, 191.825, 207.090, 2311.466, 287.889, 590.116, 620.605 and 620.607, RSMo 1994, and sections 21.570, 37.510, 72.424, 105.980, 135.360, 163.029, 207.125, 210.775, 210.776, 217.041, 217.042, 219.089, 301.004, 316.235, 321.509, 348.425, 454.1019, 488.023, 577.053, 617.001, 617.005, 617.015, 617.025, 617.035, 617.045 and 620.126, RSMo Supp. 1999, for the purpose of repealing expired provisions of law and sections with contingent effective dates which never became effective.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SRB 1002**, entitled:

An act to transfer or enact thirty-eight sections in compliance with the directives of senate bill no. 869 of the second regular session of the eighty-eighth general assembly, 1996.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 858**, entitled:

An act to repeal sections 610.021 and 610.027, RSMo Supp. 1999, relating to the sunshine law, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 763**, entitled:

An act to repeal section 407.020, RSMo Supp. 1999, relating to telecommunications merchandising practices, and to enact in lieu thereof fifteen new sections relating to the same subject, with penalty provisions and an effective date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SBs 934, 546, 578, 579 & 782**, entitled:

An act to repeal section 577.017, RSMo 1994, and sections 302.302, 302.304, 302.505, 302.540, 304.012, 577.001, 577.012, 577.023 and 577.600, RSMo Supp. 1999, relating to alcohol-related traffic offenses, and to enact in lieu thereof ten new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, March 27, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-first Day, Wednesday, March 15, 2000, pages 593 and 594, roll call, by showing Representative George voting "aye" rather than "absent with leave".

Page 599, roll call, by showing Representatives Boucher and Kissell voting "no" rather than "absent with leave".

Pages 615 and 616, roll call, by showing Representative Gaskill voting "aye" rather than "absent with leave".

Pages 616 and 617, roll call, by showing Representatives Gaskill, Kreider and Liese voting "aye" rather than "absent with leave".

Page 597, roll call, by showing Representative Alter voting "absent with leave" rather than "present".

COMMITTEE MEETINGS

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 29, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1664, HB 1935, HB 1981, HB 2091, Executive Session - HB 1646

CONSUMER PROTECTION AND HOUSING

Tuesday, March 28, 2000, 8:00 pm. Hearing Room 1.

Possible Executive Session to follow.

To be considered - HB 2057

EDUCATION - ELEMENTARY AND SECONDARY

Monday, March 27, 2000, 2:00 pm. Hearing Room 1.

To be considered - HB 1620, HB 1785, HB 1788, HB 1854, HB 1957, HB 2022

JUDICIARY

Tuesday, March 28, 2000. Hearing Room 5 upon morning adjournment.

To be considered - Executive Session - HB 1493

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 28, 2000. Hearing Room 7 upon noon adjournment.

Executive Session may follow.

To be considered - HB 2033, HB 2093

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 29, 2000, 8:30 am. Hearing Room 6.

To be considered - HB 1561

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, March 28, 2000, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1387, HB 2078, HB 2095, HB 2098, HB 2099

WAYS AND MEANS

Tuesday, March 28, 2000, 1:00 pm. Hearing Room 6.

To be considered - HB 1625, HB 1950, HB 2088, HB 2129, HCR 11

HOUSE CALENDAR

FORTY-THIRD DAY, MONDAY, MARCH 27, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 27

HOUSE BILLS FOR SECOND READING

HB 2135 through HB 2141

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HB 1615, HS, as amended, pending - Hosmer
- 2 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 3 HB 1238 - Hoppe
- 4 HCS HB 1242 - Treadway
- 5 HB 1472 - Smith
- 6 HCS HB 1434 - Skaggs
- 7 HCS HB 1481 - Smith
- 8 HCS HB 1305 - Rizzo
- 9 HCS HB 1574 & 1640 - Britt
- 10 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 11 HCS HB 1652 & 1433 - Hoppe
- 12 HB 1603, HCA 1 and HCA 2 - O'Connor
- 13 HCS HB 1711 - Abel
- 14 HCS HB 1797 - Gratz
- 15 HCS HB 1569 - Bray
- 16 HCS HB 1932 - Harlan
- 17 HCS HB 1967 - Hoppe
- 18 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve

HOUSE BILLS FOR PERFECTION - CONSENT

(March 27, 2000)

- 1 HB 1597 - Auer

- 2 HB 1284 - Kissell
- 3 HB 1659 - Summers
- 4 HB 1340 - Klindt
- 5 HB 1828 - Gross
- 6 HB 1095 - Richardson
- 7 HB 1358 - Loudon
- 8 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1085 - Selby
- 2 HB 1396 - Farnen
- 3 HB 1097 - Hosmer
- 4 HB 1289 - Auer
- 5 HB 1335 - Scheve
- 6 HB 1848 - Treadway
- 7 HB 1923, E.C. - Ransdall
- 8 HB 1875 - Franklin
- 9 HB 1802 - Monaco
- 10 HB 1544 - Smith
- 11 HB 1591 - Backer
- 12 HB 1739 - Auer
- 13 HB 1486 - Abel
- 14 HB 1509 - Hosmer
- 15 HB 1374 - Graham (24)
- 16 HB 1465 - Ransdall
- 17 HB 1706 - Gambaro
- 18 HB 1428 - Hickey
- 19 HB 1454 - Hoppe
- 20 HB 1604 - Graham (106)
- 21 HB 1568 - Riback Wilson (25)
- 22 HB 1596 - Auer
- 23 HB 1685 - Smith
- 24 HB 1948 - Gratz
- 25 HB 1825 - Klindt
- 26 HB 1077 - Relford
- 27 HB 1808 - O'Toole
- 28 HB 1499 - Hoppe
- 29 HB 1647 - Skaggs
- 30 HB 1631 - Hoppe
- 31 HB 1841 - Kreider
- 32 HB 1579 - Hoppe

SENATE BILLS FOR SECOND READING

- 1 SCS SB 763
- 2 SB 858
- 3 SCS SB 896
- 4 SB 915
- 5 SS#2 SCS SB 934, 546, 578, 579 & 782
- 6 SCS SB 940
- 7 SB 953
- 8 SB 961
- 9 SB 1001
- 10 SB 1002

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FORTY-THIRD DAY, MONDAY, MARCH 27, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

O Lord of All, Your will for us is to know the way, to do the truth and to live the full life. The men and women of this House know the clamor of many voices in their ears, a tugging at the sleeve, a constant drumbeat of self-serving special interests not in tune with the common interest.

Help these called by the people, to stand for that which they understand to be in the best interest of all. In the middle of the noise and clamor, give to these men and women a desire to hear Your voice....to know the way, to do the truth and to live the full life. To You be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Meredith Gibbons, Kara Evens, John Cumpston, James Carver, Jr., Michael S. Marconett, Dustin Osborn and Philip Rock.

The Journal of the forty-second day was approved as corrected by the following vote:

AYES: 081

Abel	Auer	Backer	Barry 100	Berkowitz
Boucher 48	Boykins	Bray 84	Britt	Campbell
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambaro	George
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gibbons	Graham 106	Griesheimer	Gross

Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkstresser	Bonner	Gaskill	Hoppe	Naeger
Scott	Stokan	Wiggins		

VACANCIES: 002

Speaker Gaw assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 633 - Representative Gunn
House Resolution No. 634
and
House Resolution No. 635 - Representative Williams (159)
House Resolution No. 636 - Representative Townley
House Resolution No. 637 - Representative Legan
House Resolution No. 638 - Representative Gratz
House Resolution No. 639 - Representative Riley
House Resolution No. 640 - Representative Hendrickson
House Resolution No. 641
and
House Resolution No. 642 - Representative Ransdall
House Resolution No. 643 - Representative Richardson
House Resolution No. 644 - Representative Ransdall
House Resolution No. 645 - Representative Ross
House Resolution No. 646 - Representative Luetkemeyer
House Resolution No. 647 - Representative Williams (121)
House Resolution No. 648
through
House Resolution No. 650 - Representative Gaw
House Resolution No. 651 - Representative Gross
House Resolution No. 652
and
House Resolution No. 653 - Representative Williams (121)
House Resolution No. 654
and
House Resolution No. 655 - Representative Gaw

House Resolution No. 656

and

House Resolution No. 657 - Representative Scheve

House Resolution No. 658 - Representative Summers

House Resolution No. 659 - Representatives Loudon and Linton

House Resolution No. 660

and

House Resolution No. 661 - Representative Fraser

House Resolution No. 662

through

House Resolution No. 677 - Representative Murray

House Resolution No. 678

and

House Resolution No. 679 - Representative Ford

House Resolution No. 680 - Representative Elliott, et al

House Resolution No. 681 - Representative May (108)

House Resolution No. 682 - Representative May (108)

House Resolution No. 683 - Representative Gratz

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 27 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2135 through **HB 2141** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 763, SB 858, SCS SB 896, SB 915, SS#2 SCS SBs 934, 546, 578, 579 & 782, SCS SB 940, SB 953, SB 961, SB 1001 and SB 1002 were read the second time.

Speaker Pro Tem Kreider resumed the Chair.

PERFECTION OF HOUSE BILLS

HB 1615, with HS, as amended, pending, relating to protection of the elderly, was taken up by Representative Hosmer.

Representative Hollingsworth offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Substitute for House Bill No. 1615, Page 70, Section 208.151, Line 12, by inserting at the end of said line the following:

“(27) All persons who would be determined eligible for old age assistance benefits or permanent and total disability benefits, under the eligibility standards in effect December 31, 1973, and whose income is less than or equal to one hundred percent of the federal poverty level established by the Department of Health and Human Services or its successor; as authorized under 1902(m)(1) of the federal Social Security Act or less restrictive standards as established by rule of the division of family services.”

On motion of Representative Hollingsworth, **House Amendment No. 15** was adopted.

Representative Richardson offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Substitute for House Bill No. 1615, Page 27, Section 191.900, Lines 5 and 6, by deleting the words “health care payment fraud and abuse, and”.

On motion of Representative Richardson, **House Amendment No. 16** was adopted.

On motion of Representative Hosmer, **HS HB 1615, as amended**, was adopted.

On motion of Representative Hosmer, **HS HB 1615, as amended**, was ordered perfected and printed.

HCS HBs 1172, 1501, 1633, 1440, 1634, 1177 & 1430, relating to telecommunications practices, was taken up by Representative Davis (122).

Representative Davis (122) offered **HS HCS HBs 1172, 1501, 1633, 1440, 1634, 1177 & 1430**.

Representative Fraser offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1172, 1501, 1633, 1440, 1634, 1177 & 1430, Page 5, Section 407.1070, Line 21, by striking the semi-colon “;” at the end of said line and inserting in lieu thereof the following:

“. Merchandise shall not include services, goods or memberships given to a contributor by an entity, organized pursuant to chapter 501 (c) (3) of the Internal Revenue Service Code, while such entity is engaged in fund-raising to support the charitable purpose for which the entity was established;”.

On motion of Representative Fraser, **House Amendment No. 1** was adopted.

Representative Green offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1172, 1501, 1633, 1440, 1634, 1177 & 1430, Page 3, Section 407.020, Line 5 of said page, by inserting after the word "general" the following: **", in any county of the second, third or fourth classification,"**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Green moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Selby offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1172, 1501, 1633, 1440, 1634, 1177 & 1430, Page 17, Section 407.1085, Line 15, by inserting at the end of said line the word “or”; and

Further amend said page and section, Line 17, by inserting an open bracket “[“ immediately after the word “relationship” on said line; and

Further amend said section on Page 18, Line 1, by inserting a closed bracket “]” immediately before the period on said line; and

Further amend said bill, Page 19, Section 407.1095, Line 5, by inserting at the end of said line the word “or”; and

Further amend said page and section, Line 8, by inserting an open bracket “[“ immediately after the word “relationship” on said line; and

Further amend said page and section, Line 11, by inserting a closed bracket “]” immediately before the period on said line.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

Representative Monaco raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** is not a true substitute amendment.

Representative Kissell raised an additional point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** amends previously amended material.

The Chair ruled the first point of order not well taken.

The Chair ruled the second point of order well taken.

HCS HBs 1172, 1501, 1633, 1440, 1634, 1177 & 1430, with House Amendment No. 3 and HS, as amended, pending, was laid over.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 537 - Public Safety and Law Enforcement
SCS SB 540 - Agriculture
SCS SB 541 - Transportation
SCS SB 542 - Local Government and Related Matters
SB 555 - Correctional and State Institutions
SB 556 - Judiciary
SCS SB 557 - Consumer Protection and Housing
SCS SB 558 - Environment and Energy
SB 573 - Education - Elementary and Secondary
SS SB 576 - Critical Issues
SCS SB 596 - Tourism, Recreation and Cultural Affairs
SB 616 - Retirement
SB 618 - Correctional and State Institutions
SCS SB 633 - Transportation
SB 643 - Consumer Protection and Housing
SCS SB 657 - State Parks, Natural Resources and Mining
SB 663 - Professional Registration and Licensing
SB 669 - Judiciary
SCS SB 685 - Public Health
SB 709 - Labor
SCS SB 719 - Local Government and Related Matters
SB 722 - Civil and Administrative Law
SB 724 - Tourism, Recreation and Cultural Affairs
SB 725 - Transportation
SB 734 - Labor
SB 741 - Fiscal Review
SB 743 - Ways and Means
SCS SB 746 - Judiciary
SCS SB 765 - Motor Vehicle and Traffic Regulations
SCS SB 779 - Agri-Business
SB 788 - Governmental Organization and Review
SCS SB 801 - Miscellaneous Bills and Resolutions
SB 810 - Social Services, Medicaid and the Elderly
SB 821 - Retirement
SB 836 - Civil and Administrative Law
SCS SB 842 - Local Government and Related Matters
SB 856 - Critical Issues
SB 858 - Civil and Administrative Law
SCS SB 894 - Local Government and Related Matters
SB 896 - Judiciary
SB 907 - Motor Vehicle and Traffic Regulations
SB 910 - Education - Higher
SB 914 - Civil and Administrative Law
SB 915 - Local Government and Related Matters
SB 921 - Professional Registration and Licensing

SB 922 - Retirement
SB 924 - Local Government and Related Matters
SCS SB 940 - Local Government and Related Matters
SB 942 - Civil and Administrative Law
SB 953 - Education - Higher
SB 961 - Education - Higher
SB 975 - Retirement
SCS SB 976 - Public Health
SB 985 - Correctional and State Institutions
SB 996 - Criminal Law
SB 997 - Judiciary
SRB 1001 - Judiciary
SRB 1002 - Judiciary

COMMITTEE REPORTS

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred **FAMILY FARM CAUCUS**, begs leave to report it has examined the same and approves it pursuant to **105.473(2)(c)d RSMo**.

TO: Representative Robert Clayton, Chairman
House Ethics Committee

FROM: Representative David Klindt
Representative Maurice Lawson

DATE: March 15, 2000

RE: Family Farm Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 1998 and the rules of the Missouri House of Representatives, I would like for the following names to be added to the Family Farm Caucus.

Please contact me at 751-1415, if you have any questions concerning this caucus organization.

/s/ Norma Champion, District 134
/s/ Amber Boykins, District 60

Mr. Speaker: Your Committee on Ethics, to which was referred **GREATER KANSAS CITY CAUCUS**, begs leave to report it has examined the same and approves it pursuant to **105.473(2)(c)d RSMo**.

March 15, 2000

The Honorable Robert Clayton, Chairman
House Committee on Ethics
House Post Office
State Capitol
Jefferson City, MO 65101

Dear Mr. Chairman:

Please delete the following from the **Greater Kansas City Democratic Caucus**:

Vernon Thompson
Fletcher Daniels
Lloyd Daniel

Also, please delete the following from the **Greater Kansas City Caucus**:

Vernon Thompson
Fletcher Daniels
Lloyd Daniel

Thank you for your attention in the request.

Sincerely,

/s/ Bill Skaggs

March 15, 2000

The Honorable Robert Clayton, Chairman
House Committee on Ethics
House Post Office
State Capitol
Jefferson City, MO 65101

Dear Mr. Chairman:

Please add the following Representatives to the **Greater Kansas City Democratic Caucus**:

/s/ Representative Melba Curls
/s/ Representative Yvonne Wilson

Also, please add the following Representatives to the **Greater Kansas City Caucus**:

/s/ Representative Melba Curls
/s/ Representative Yvonne Wilson
/s/ Charlie Shields

Thank you for your consideration in this request.

Sincerely,

/s/ Bill Skaggs

March 16, 2000

The Honorable Robert Clayton, Chairman
House Committee on Ethics
House Post Office
State Capitol
Jefferson City, MO 65101

Dear Mr. Chairman:

Please delete the following from the **Greater Kansas City Caucus**:

Bonnie Sue Cooper

Please add to the **Greater Kansas City Caucus**:

/s/ Representative Susan Phillips

Thank you for your consideration.

Sincerely,

Bill Skaggs

Mr. Speaker: Your Committee on Ethics, to which was referred **MISSOURI DEMOCRATS FOR LIFE CAUCUS**, begs leave to report it has examined the same and approves it pursuant to **105.473(2)(c)d RSMo.**

March 2, 2000

Honorable Robert Clayton
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Representative Clayton:

I would like to become a member of the Missouri Democrats for Life Caucus.

If you need any additional information, please contact me.

Sincerely,

/s/ Don Koller

Mr. Speaker: Your Committee on Ethics, to which was referred the **LEGISLATORS FOR A MODERATE AGENDA CAUCUS**, begs leave to report it has examined the same and approves it pursuant to **105.473(2)(c)d RSMo.**

March 13, 2000

Honorable Robert Clayton
Chairman
Ethics Committee
Capitol Building, Room 114-C
Jefferson City, Missouri 65101

Dear Chairman Clayton:

Due to the number of committees I currently serve on I cannot continue as Chairman of the Caucus for Legislators for a Moderate Agenda. The Dean of Caucuses, Representative Ron Auer, has agreed to take on the position of Chairman of this caucus.

I hope you change the chairmanship accordingly.

Sincerely,

/s/ Timothy P. Green
State Representative
District 73

March 14, 2000

Honorable Robert Clayton
Chairman
Ethics Committee
Capitol Building, Room 114-C
Jefferson City, MO 65101

Dear Chairman Clayton:

I have agreed to Chair the Caucus for Legislators for a Moderate Agenda as of this date.
If you need anything further please contact my office.

Thanks for your time.

Sincerely,

/s/ Ron Auer
59th Legislative District
March 1, 2000

The Honorable Tim Green
Chairman, Caucus for Legislators for a Moderate Agenda
Room 408A, State Capitol
Jefferson City, MO 65101

Dear Representative Green:

I hereby respectfully request to be appointed to the Caucus for Legislators for a Moderate Agenda.

Your consideration in this matter is appreciated.

Sincerely,

/s/ Dennis Bonner
District 51

Mr. Speaker: Your Committee on Ethics, to which was referred **MO LEGISLATIVE BLACK CAUCUS**, begs leave to report it has examined the same and approves it pursuant to **105.473(2)(c)d RSMo.**

To: Rep. Robert Clayton, Chairman
Judiciary & Ethics Committee

From: Rep. Russell C. Gunn, Chairman
Missouri Legislative Black Caucus

Date: January 25, 2000

Re: Missouri Legislative Black Caucus

In accordance with Section 95.407 and the rules of the Missouri House of Representatives, a listing of the members of the 88th General Assembly's House of Representatives' Missouri Legislative Black Caucus is attached. Please note the changes to the member list, also attached.

Consider this letter a formal application to the Committee on Judiciary and Ethics to renew this caucus, the commonality of interest, the advantages of forming this caucus, and the regularity of our meetings.

Please contact me at (573) 751-4726, if you have any questions concerning this caucus organization. I shall serve as the designated member to present this caucus to the committee.

Missouri Legislative Black Caucus Members

Officers

Rep. Russell Gunn Chairman District 70 - D	Rep. Carson Ross Vice - Chairman District 55 - R
Rep. Rita Days Treasurer District 71 - D	Rep. Amber Boykins Secretary District 60 - D

Members

Senator Mary Groves Bland District 9 - D	Senator William Clay, Jr. District 4 - D
Rep. Paula Carter District 61 - D	Rep. Terry Riley District 43 - D
Rep. O. L. Shelton District 57 - D	Rep. Betty Thompson District 72 - D

Rep. Charles "Quincy" Troupe
District 62 - D

Rep. Melba Curls
District 41 - D

Rep. Yvonne Wilson
District 42 - D

Rep. Louis Ford
District 58 - D

Members deleted

Members added

Rep. Vernon Thompson
Sen. J. B. Banks
Rep. Lloyd Daniel
Rep. Fletcher Daniels

Rep. Melba Curls
Rep. Yvonne Wilson

Signature Page

/s/ Rep. Russell Gunn
Chairman

/s/ Rep. Carson Ross
Vice-Chairman

/s/ Rep. Rita Days
Treasurer

/s/ Rep. Amber Boykins
Secretary

/s/ Sen. Mary Groves Bland

/s/ Sen. William Clay, Jr.

/s/ Rep. Melba Curls

/s/ Rep. Paula Carter

/s/ Rep. Yvonne Wilson

/s/ Rep. Terry Riley

/s/ Rep. O. L. Shelton

/s/ Rep. Betty Thompson

/s/ Rep. Charles "Quincy" Troupe

/s/ Rep. Louis Ford

Mr. Speaker: Your Committee on Ethics, to which was referred **GREATER KANSAS CITY DEMOCRATIC CAUCUS**, begs leave to report it has examined the same and approves it pursuant to **105.473(2)(c)d RSMo.**

March 15, 2000

The Honorable Robert Clayton, Chairman
House Committee on Ethics
House Post Office
State Capitol
Jefferson City, MO 65101

Dear Mr. Chairman:

Please delete the following from the **Greater Kansas City Democratic Caucus**:

Vernon Thompson
Fletcher Daniels
Lloyd Daniel

Also, please delete the following from the **Greater Kansas City Caucus**:

Vernon Thompson
Fletcher Daniels
Lloyd Daniel

Thank you for your attention in the request.

Sincerely,

/s/ Bill Skaggs

March 15, 2000

The Honorable Robert Clayton, Chairman
House Committee on Ethics
House Post Office
State Capitol
Jefferson City, MO 65101

Dear Mr. Chairman:

Please add the following Representatives to the **Greater Kansas City Democratic Caucus**:

/s/ Representative Melba Curls
/s/ Representative Yvonne Wilson

Also, please add the following Representatives to the **Greater Kansas City Caucus**:

/s/ Representative Melba Curls
/s/ Representative Yvonne Wilson
/s/ Charlie Shields

Thank you for your consideration in this request.

Sincerely,

/s/ Bill Skaggs

Committee on Social Services, Medicaid and the Elderly, Chairman Gunn reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1450**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 2020**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 28, introduced by Representatives Van Zandt, Campbell, Wilson (42), Mays (50), Franklin, Monaco, Riley, McLuckie, Cierpiot, Kelley (47), Reinhart, Bartle, Ross, Hartzler (123), Tudor, Phillips, Lograsso, Lakin, Curls, Skaggs, Pouche, Boucher, Rizzo, Ridgeway, Bonner and Hoppe, relating to declaring June 3, 2000, to be "KC150 Day".

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2142, introduced by Representatives Dougherty and Fraser, et al, relating to a tax credit for donations to sexual violence crisis service centers.

HB 2143, introduced by Representative Levin, relating to scenic byways.

HB 2144, introduced by Representative Patek, relating to lobbying of the general assembly by state agencies.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 530**, entitled:

An act to repeal sections 552.020 and 552.040, RSMo Supp. 1999, relating to the placement of certain individuals in correctional institutions, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 703**, entitled:

An act to repeal section 34.140, RSMo Supp. 1999, relating to surplus property, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 754**, entitled:

An act to amend chapter 165 by adding thereto one new section relating to the placement of school funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 806**, entitled:

An act to repeal sections 57.010, 590.100, 590.130, 590.170 and 590.175, RSMo 1994, relating to law enforcement agencies, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1015**, entitled:

An act to repeal sections 86.403, 86.433, 86.437, 86.442, 86.493, 86.675, 86.730 and 86.780, RSMo 1994, and sections 86.440, 86.441, 86.447, 86.483, 86.750 and 86.770, RSMo Supp. 1999, relating to certain police retirement systems, and to enact in lieu thereof fourteen new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, March 28, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-second Day, Thursday, March 16, 2000, pages 626 and 627, roll call, by showing Representative Akin voting "no" rather than "absent with leave".

Pages 628 and 629, roll call, by showing Representatives Akin and Chrismer voting "aye" rather than "absent with leave".

Pages 629 and 630, roll call, by showing Representative Akin voting "aye" rather than "absent with leave".

Pages 630 and 631, roll call, by showing Representatives King and Levin voting "aye" rather than "absent with leave".

Pages 632 and 633, roll call, by showing Representatives Chrismer, Foster, Levin and Merideth voting "aye" rather than "absent with leave".

Pages 640 and 641, roll call, by showing Representative Shields voting "aye" rather than "absent with leave".

Pages 643 and 644, roll call, by showing Representative Howerton voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Tuesday, March 28, 2000, 8:30 am. Hearing Room 3.

Possible Executive Session.

To be considered - HB 1120

BUDGET

Tuesday, March 28, 2000. Hearing Room 3 upon morning adjournment.

Possible Executive Session.

To be considered - HB 1120

BUDGET

Wednesday, March 29, 2000, 8:30 am. Hearing Room 3.

Possible Executive Session.

To be considered - HB 1120

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 29, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1664, HB 1935, HB 1981, HB 2091, Executive Session - HB 1646

CONSUMER PROTECTION AND HOUSING

Tuesday, March 28, 2000, 8:00 pm. Hearing Room 1.

Possible Executive Session to follow. CANCELLED.

To be considered - HB 2057

JUDICIARY

Tuesday, March 28, 2000. Hearing Room 5 upon morning adjournment.

To be considered - Executive Session - HB 1493

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 28, 2000. Hearing Room 7 upon noon adjournment.

Executive Session may follow.

To be considered - HB 2033, HB 2093

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 29, 2000, 8:00 am. Hearing Room 6. AMENDED.

To be considered - HB 1318, HB 1561, HB 1763

PUBLIC HEALTH

Tuesday, March 28, 2000, 1:00 pm. Hearing Room 4.

To be considered - HB 2013

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, March 28, 2000, 8:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1387, HB 2078, HB 2095, HB 2098, HB 2099

TRANSPORTATION

Wednesday, March 29, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - HB 2102, HCR 18

WAYS AND MEANS

Tuesday, March 28, 2000, 1:00 pm. Hearing Room 6.

To be considered - HB 1625, HB 1950, HB 2088, HB 2129, HCR 11

HOUSE CALENDAR

FORTY-FOURTH DAY, TUESDAY, MARCH 28, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 28

HOUSE BILLS FOR SECOND READING

HB 2142 through HB 2144

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430,
HA 3 and HS, as amended, pending - Davis (122)
- 2 HB 1238 - Hoppe
- 3 HCS HB 1242 - Treadway
- 4 HB 1472 - Smith
- 5 HCS HB 1434 - Skaggs
- 6 HCS HB 1481 - Smith
- 7 HCS HB 1305 - Rizzo
- 8 HCS HB 1574 & 1640 - Britt
- 9 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 10 HCS HB 1652 & 1433 - Hoppe
- 11 HB 1603, HCA 1 and HCA 2 - O'Connor
- 12 HCS HB 1711 - Abel
- 13 HCS HB 1797 - Gratz
- 14 HCS HB 1569 - Bray

- 15 HCS HB 1932 - Harlan
- 16 HCS HB 1967 - Hoppe
- 17 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve

HOUSE BILLS FOR PERFECTION - CONSENT

(March 27, 2000)

- 1 HB 1597 - Auer
- 2 HB 1284 - Kissell
- 3 HB 1659 - Summers
- 4 HB 1340 - Klindt
- 5 HB 1828 - Gross
- 6 HB 1095 - Richardson
- 7 HB 1358 - Loudon
- 8 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1085 - Selby
- 2 HB 1396 - Farnen
- 3 HB 1097 - Hosmer
- 4 HB 1289 - Auer
- 5 HB 1335 - Scheve
- 6 HB 1848 - Treadway
- 7 HB 1923, E.C. - Ransdall
- 8 HB 1875 - Franklin
- 9 HB 1802 - Monaco
- 10 HB 1544 - Smith
- 11 HB 1591 - Backer
- 12 HB 1739 - Auer
- 13 HB 1486 - Abel
- 14 HB 1509 - Hosmer
- 15 HB 1374 - Graham (24)
- 16 HB 1465 - Ransdall
- 17 HB 1706 - Gambaro
- 18 HB 1428 - Hickey
- 19 HB 1454 - Hoppe
- 20 HB 1604 - Graham (106)
- 21 HB 1568 - Riback Wilson (25)
- 22 HB 1596 - Auer

- 23 HB 1685 - Smith
- 24 HB 1948 - Gratz
- 25 HB 1825 - Klindt
- 26 HB 1077 - Relford
- 27 HB 1808 - O'Toole
- 28 HB 1499 - Hoppe
- 29 HB 1647 - Skaggs
- 30 HB 1631 - Hoppe
- 31 HB 1841 - Kreider
- 32 HB 1579 - Hoppe

SENATE BILLS FOR SECOND READING

- 1 SCS SB 530
- 2 SCS SB 703
- 3 SCS SB 754
- 4 SCS SB 806
- 5 SCS SB 1015

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FORTY-FOURTH DAY, TUESDAY, MARCH 28, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Heavenly Father, God of Law and Love, give us Your blessing and hear our prayers.

We look around Your creation, and behold, our surroundings are changing from the browns and grays of Winter to the panoply of colors marking rebirth, growth, and life. So may we, in spirit and in truth.

Our legislative session is almost three-fourths over. As the crunch of the last days' work lays heavy on these Representatives' shoulders, as nerves become frayed and tempers short, may we, at least briefly, attend to our state around us coming back to vegetative life, and may we take heart. You are here also, in our hearts and in our bones, bringing Your law through bud, to blossom, to fruition.

We claim Your sunshine and moisture nourishing us in the soil of Your care and love here, now and always. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ben Kelley, James Kelley, Lauren Kelley, Megan Marriott, Jimmy Schutz, Brandon Schutz, Bret Morton, Andrew Morton, Chance Legaspi, Angelica McAllister, Brandon Ludwinski, Andrea DuMont, Meaghan Schulz, Jacob Kostedt, Nikaela Toner, Alex Genova, Michaela Brogato, Joshua Wilson, Cody Wilson and Thomas Kuelker.

The Journal of the forty-third day was approved as printed by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

VACANCIES: 002

House Resolution No. 684 - Representative Smith
House Resolution No. 685 - Representative Hartzler (124)
House Resolution No. 686 - Representative Legan
House Resolution No. 687 - Representative Froelker
House Resolution No. 688 - Representative Hampton
House Resolution No. 689 - Representative Richardson
House Resolution No. 690 - Representative Fitzwater
House Resolution No. 691 - Representative Kennedy
House Resolution No. 692 - Representative Berkowitz
House Resolution No. 693
and
House Resolution No. 694 - Representative Farnen
House Resolution No. 695 - Representative Robirds
House Resolution No. 696
through
House Resolution No. 702 - Representatives Williams (121) and Sallee
House Resolution No. 703 - Representative Hegeman
House Resolution No. 704
through
House Resolution No. 707 - Representative Patek

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 28 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2142 through **HB 2144** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 530, SCS SB 703, SCS SB 754, SCS SB 806 and **SCS SB 1015** were read the second time.

PERFECTION OF HOUSE BILL

HCS HBs 1172, 1501, 1633, 1440, 1634, 1177 & 1430, with House Amendment No. 3 and HS, as amended, pending, relating to telecommunications practices, was taken up by Representative Davis (122).

Representative Smith offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

House Substitute Amendment No. 1 for House Amendment No. 3 was withdrawn.

Representative Selby moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 023

Auer	Boykins	Bray 84	Curls	Days
Dougherty	Franklin	Fraser	Gambaro	Hagan-Harrell
Harlan	Hollingsworth	Hoppe	Hosmer	McBride
McLuckie	Patek	Riley	Schilling	Selby
Thompson	Van Zandt	Wilson 25		

NOES: 133

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Britt	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Davis 122	Davis 63	Dolan	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Froelker	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble

May 108	Mays 50	McClelland	McKenna	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Sallee	Scheve	Schwab	Scott	Secrest
Seigfreid	Shelton	Shields	Skaggs	Smith
Summers	Surface	Townley	Treadway	Troupe
Tudor	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Mr. Speaker		

PRESENT: 001

Wright

ABSENT WITH LEAVE: 004

Berkstresser	Ridgeway	Stokan	Wilson 42
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VACANCIES: 002

Representative Liese offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1172, 1501, 1633, 1440, 1634, 1177 & 1430, Page 5, Section 407.1070, Line 21, by inserting immediately after the word “services” the following: “, **other than securities, as defined in section 409.401, RSMo, or financial or insurance contracts or services**”; and

Further amend said bill, Page 19, Section 407.1095, Line 2, by inserting immediately after the word “services” the following: “, **other than securities, as defined in section 409.401, RSMo, or financial or insurance contracts or services**”.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

Representative Schilling raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is not a true substitute amendment.

Representative Kissell raised an additional point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** amends previously amended material.

The Chair ruled the first point of order well taken.

The Chair ruled the second point of order not well taken.

On motion of Representative Liese, **House Amendment No. 4** was adopted by the following vote:

AYES: 085

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Black	Blunt	Boatright	Burton	Campbell
Champion	Chrismer	Cierpiot	Crawford	Crump

Dolan	Elliott	Enz	Evans	Fitzwater
Foster	Froelker	Gibbons	Graham 106	Gratz
Gross	Gunn	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kasten	Kelley 47	Kennedy	King	Klindt
Kreider	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	McBride	McClelland	McKenna
Miller	Naeger	Nordwald	Ostmann	Overschmidt
Phillips	Pouche 30	Purgason	Reid	Reinhart
Richardson	Riley	Robirds	Ross	Schwab
Scott	Secrest	Shields	Summers	Surface
Tudor	Vogel	Wagner	Ward	Wright

NOES: 064

Barry 100	Berkowitz	Bonner	Boucher 48	Boykins
Britt	Clayton	Curls	Davis 122	Davis 63
Days	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham 24	Green
Griesheimer	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kissell	Lakin	Leake	May 108	Mays 50
McLuckie	Merideth	Monaco	Murphy	Murray
Myers	O'Connor	O'Toole	Parker	Patek
Ransdall	Relford	Reynolds	Scheve	Schilling
Seigfreid	Selby	Skaggs	Smith	Thompson
Townley	Treadway	Van Zandt	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 012

Berkstresser	Bray 84	Dougherty	Ford	Koller
Pryor	Ridgeway	Rizzo	Sallee	Shelton
Stokan	Troupe			

VACANCIES: 002

HCS HBs 1172, 1501, 1633, 1440, 1634, 1177 & 1430, with HS, as amended, pending, was laid over.

Representative Farnen assumed the Chair.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 2129 - Ways and Means

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emily Perkins, Skylar Roush, Caleb Minter and Codi White.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 708	-	Representative McLuckie
House Resolution No. 709	-	Representative Vogel
House Resolution No. 710	-	Representative Williams (159)
House Resolution No. 711	-	Representative Relford
House Resolution No. 712	-	Representative Pouche
House Resolution No. 713	-	Representative Hollingsworth
House Resolution No. 714	-	Representatives Hollingsworth and McKenna
House Resolution No. 715	-	Representative Luetkenhaus
House Resolution No. 716		
and		
House Resolution No. 717	-	Representative Thompson
House Resolution No. 718	-	Representative Holand
House Resolution No. 719		
through		
House Resolution No. 721	-	Representative Hartzler (124)
House Resolution No. 722	-	Representative Days
House Resolution No. 723	-	Representative George
House Resolution No. 724	-	Representative Black
House Resolution No. 725	-	Representative Abel
House Resolution No. 726	-	Representative Murray
House Resolution No. 727	-	Representative Farnen
House Resolution No. 728	-	Representative Abel

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1615**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILLS

HCS HBs 1172, 1501, 1633, 1440, 1634, 1177 & 1430, with HS, as amended, pending, relating to telecommunications practices, was again taken up by Representative Davis (122).

Representative Crump offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1172, 1501, 1633, 1440, 1634, 1177 & 1430, Pages 18 through 22, Sections 407.1095 through 407.1110, by striking all of said sections and inserting in lieu thereof the following:

“Section 1. There shall be established in the office of the lieutenant governor the telemarketing options awareness council. The council shall be composed eleven members representing government entities, telephone companies, businesses, and senior citizen advocates and shall be operational no later than July 1, 2001. The council shall compile and promote a list of educational tools to help consumers understand and access their options with regard to telephone solicitations, including but not limited to an interstate do-not-call list. It shall also establish a toll-free telephone number and a website that residential subscribers may call or access to review their options with regard to telephone solicitation. The members of the council shall be reimbursed for reasonable and actual expenses incurred in the performance of their duties.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Smith assumed the Chair.

Speaker Pro Tem Kreider resumed the Chair.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

Representative Schilling raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 5** is not a true substitute amendment and goes beyond the scope of the bill.

Representative Kissell raised an additional point of order that **House Substitute Amendment No. 1 for House Amendment No. 5** amends previously amended material.

Representative Davis (122) raised a further point of order that **House Substitute Amendment No. 1 for House Amendment No. 5** is dilatory.

The Chair ruled the second point of order well taken.

The Chair ruled the third point of order well taken.

Representative Crump moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative McLuckie offered **House Amendment No. 6**.

House Amendment No. 6 was withdrawn.

Representative Hosmer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1172, 1501, 1633, 1440, 1634, 1177 & 1430, Page 4, Section 407.020, Line 15, by inserting after all of said line the following:

"407.025. 1. Any person who purchases or leases [goods or services] **merchandise** primarily for personal, family or household purposes and thereby suffers an ascertainable loss of money or property, real or personal, as a result of the use or employment by another person of a method, act or practice declared unlawful by section 407.020, may bring a private civil action in either the circuit court of the county in which the seller or lessor resides or in which the transaction complained of took place, to recover actual damages. The court may, in its discretion, award punitive damages and may award to the prevailing party attorney's fees, based on the amount of time reasonably expended, and may provide such equitable relief as it deems necessary or proper.

2. Persons entitled to bring an action under subsection 1 of this section may, if the unlawful method, act or practice has caused similar injury to numerous other persons, institute an action as representative or representatives of a class against one or more defendants as representatives of a class, and the petition shall allege such facts as will show that these persons or the named defendants specifically named and served with process have been fairly chosen and adequately and fairly represent the whole class, to recover damages as provided for in subsection 1 of this section. The plaintiff shall be required to prove such allegations, unless all of the members of the class have entered their appearance, and it shall not be sufficient to prove such facts by the admission or admissions of the defendants who have entered their appearance. In any action brought under this section, the court may in its discretion order, in addition to damages, injunction or other equitable relief and reasonable attorney's fees.

3. An action may be maintained as a class action in a manner consistent with Rule 23 of the Federal Rules of Civil Procedure and Missouri rule of civil procedure 52.08 to the extent such state rule is not inconsistent with the federal rule if:

- (1) The class is so numerous that joinder of all members is impracticable;
- (2) There are questions of law or fact common to the class;
- (3) The claims or defenses of the representative parties are typical of the claims or defenses of the class; and
- (4) The representative parties will fairly and adequately protect the interests of the class; and, in addition
- (5) The prosecution of separate action by or against individual members of the class would create a risk of:
 - (a) Inconsistent or varying adjudications with respect to individual members of the class which would establish incompatible standards of conduct for the party opposing the class; or
 - (b) Adjudications with respect to individual members of the class which would as a practical matter be dispositive of the interests of the other members not parties to the adjudications or substantially impair or impede their ability to protect their interests; or
- (6) The party opposing the class has acted or refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the class as a whole; or
- (7) The court finds that the questions of law or fact common to the members of the class predominate over any questions affecting only individual members, and that a class action is superior to other available methods for the fair and efficient adjudication of the controversy. The matters pertinent to the findings include:
 - (a) The interest of members of the class in individually controlling the prosecution or defense of separate actions;
 - (b) The extent and nature of any litigation concerning the controversy already commenced by or against members of the class;
 - (c) The desirability or undesirability of concentrating the litigation of the claims in the particular forum;
 - (d) The difficulties likely to be encountered in the management of a class action.

4. (1) As soon as practicable after the commencement of an action brought as a class action, the court shall determine by order whether it is to be so maintained. An order under this subdivision may be conditional, and may be altered or amended before the decision on the merits.

(2) In any class action maintained under subdivision (7) of subsection 3, the court shall direct to the members of the class the best notice practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort. The notice shall advise each member that:

- (a) The court will exclude him in the class if he so requests by a specified date;
 - (b) The judgment, whether favorable or not, will include all members who do not request exclusion; and
 - (c) Any member who does request exclusion may, if he desires, enter an appearance through his counsel.
- (3) The judgment in an action maintained as a class action under subdivision (5) of subsection 3 or subdivision (6) of subsection 3, whether or not favorable to the class, shall include and describe those whom the court finds to be members of the class. The judgment in an action maintained as a class action under subdivision (7) of subsection 3, whether or not favorable to the class, shall include and specify or describe those to whom the notice provided in

subdivision (2) of subsection 4 was directed, and who have requested exclusion, and whom the court finds to be members of the class.

(4) When appropriate an action may be brought or maintained as a class action with respect to particular issues, or a class may be divided into subclasses and each subclass treated as a class, and the provisions of this section shall then be construed and applied accordingly.

5. In the conduct of actions to which this section applies, the court may make appropriate orders:

(1) Determining the course of proceedings or prescribing measures to prevent undue repetition or complication in the presentation of evidence or argument;

(2) Requiring, for the protection of the members of the class or otherwise for the fair conduct of the action, that notice be given in such manner as the court may direct to some or all of the members of any step in the action, or of the proposed extent of the judgment, or of the opportunity of members to signify whether they consider the representation fair and adequate, to intervene and present claims or defenses, or otherwise to come into the action;

(3) Imposing conditions on the representative parties or on intervenors;

(4) Requiring that the pleadings be amended to eliminate therefrom allegations as to representation of absent persons, and that the action proceed accordingly;

(5) Dealing with similar procedural matters.

6. A class action shall not be dismissed or compromised without the approval of the court, and notice of the proposed dismissal or compromise shall be given to all members of the class in such manner as the court directs.

7. Upon commencement of any action brought under subsection 1 of this section, the plaintiff or plaintiffs shall inform the clerk of the court in which such action is brought, on forms to be provided by such clerk, that the action is brought under this section. The clerk of the court shall forthwith inform the attorney general of the commencement of such action, together with a copy of the complaint or other initial pleading, and, upon entry of any judgment or decree in the action, the clerk shall mail a copy of such judgment or decree to the attorney general.

8. Any permanent injunction, judgment or order of the court made under section 407.100 shall be prima facie evidence in an action brought under this section that the respondent used or employed a method, act or practice declared unlawful by section 407.020."; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hosmer, **House Amendment No. 6** was adopted.

Representative Gross offered **House Amendment No. 7**.

Representative Kissell raised a point of order that **House Amendment No. 7** amends previously amended material and is dilatory.

The Chair ruled the point of order well taken.

Representative Elliott offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1172, 1501, 1633, 1440, 1634, 1177 & 1430, Page 29, Line 11, by inserting after Line 11, a new section:

"Any person who willfully and knowingly engages in the "Phone a Friend" portion of any television game show starring Regis Philbin shall be guilty of a Class D Felony."

Representative Elliott moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Reid offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1172, 1501, 1633, 1440, 1634, 1177 & 1430, Page 17, Section 407, Lines 16 - 18, by striking all of said lines and inserting in lieu thereof the following: "or (b) by or on behalf of any entity over which either a state".

Representative Reid moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Richardson offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1172, 1501, 1633, 1440, 1634, 1177 & 1430, Page 17, Section 407.1085, Line 7 of said page, by deleting the word "**takes**"; and

Further amend said bill, Page 17, Section 407.1085, Lines 8 to 12 of said page, by deleting all of said lines and inserting in lieu thereof the following: "**stops further solicitation of items not in a catalog when the consumer states that he or she is not interested in any further solicitations; or**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Seigfreid offered **House Substitute Amendment No. 1 for House Amendment No. 9.**

*House Substitute Amendment No. 1
for
House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1172, 1501, 1633, 1440, 1634, 1177 & 1430, Page 17, Section 407.1085, Line 7 of said page, by deleting the word "**takes**"; and

Further amend said bill, Page 17, Section 407.1085, Lines 8 to 12 of said page, by deleting all of said lines and inserting in lieu thereof the following: "**stops further solicitation of any items when the consumer states that he or she is not interested in any further solicitations; or**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Seigfreid, **House Substitute Amendment No. 1 for House Amendment No. 9** was adopted.

Representative Patek offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1172, 1501, 1633, 1440, 1634, 1177 & 1430, Page 10, Section 407.1076, Line 15, by adding after all of said line the following: “**Monday through Friday, and no time on Saturday and Sunday,**”.

Representative Patek moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Britt assumed the Chair.

On motion of Representative Davis (122), **HS HCS HBs 1172, 1501, 1633, 1440, 1634, 1177 & 1430, as amended**, was adopted.

On motion of Representative Davis (122), **HS HCS HBs 1172, 1501, 1633, 1440, 1634, 1177 & 1430, as amended**, was ordered perfected and printed.

HCS HB 1242, relating to professional registration, was taken up by Representative Treadway.

Representative Treadway offered **HS HCS HB 1242**.

Representative Treadway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 26, Section 621.046, Line 16, by striking all of said line and inserting in lieu thereof the following: “**questioning of any person licensed or registered by the Division of Professional Registration accused of any**”.

Speaker Gaw resumed the Chair.

On motion of Representative Treadway, **House Amendment No. 1** was adopted.

Representative Lograsso requested a division of the question on **HS HCS HB 1242**.

On motion of Representative Treadway, **Part I of HS HCS HB 1242** was adopted.

On motion of Representative Treadway, **Part II of HS HCS HB 1242** was adopted.

Representative Relford offered **House Amendment No. 1 to Part III of HS HCS HB 1242**.

House Amendment No. 1
to
Part III

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 1, In the Title, Line 2, by striking "section" and inserting in lieu thereof the following: "sections 333.061, 333.081 and"; and

Further amend said bill, Page 1, In the Title, Line 4, by inserting immediately after "331.050" the following: ", 333.041, 333.042"; and

Further amend said bill, Page 1, In the Title, Line 6, by striking "ten" and inserting in lieu thereof "fourteen"; and

Further amend said bill, Page 1, Section A, Line 11 of said page, by striking "Section" and inserting in lieu thereof the following: "Sections 333.061, 333.081 and"; and

Further amend said bill, Page 1, Section A, Line 12 of said page, by inserting after "331.050," the following: "333.041 and 333.042,"; and

Further amend said bill, Page 1, Section A, Line 13 of said page, by striking "ten" and inserting in lieu thereof "fourteen"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by inserting after "331.050," the following: "331.041, 331.042, 333.061, 333.081,"; and

Further amend said bill, Page 14, Section 331.050, Line 8, by inserting immediately after said line the following:

"333.041. 1. Each applicant for a license to practice funeral directing shall furnish evidence to establish to the satisfaction of the board that he **or she** is:

- (1) At least eighteen years of age, and possesses a high school diploma or equivalent thereof;
- (2) Either a citizen or a bona fide resident of the state of Missouri or entitled to a license [under] **pursuant to** section 333.051, or a resident in a county contiguous and adjacent to the state of Missouri who is employed by a funeral establishment located within the state of Missouri, to practice funeral directing upon the grant of a license to do so; and
- (3) A person of good moral character.

2. Every person desiring to enter the profession of embalming dead human bodies within the state of Missouri and who is [entering] **enrolled in** an accredited institution of mortuary science education shall register with the board as a **practicum** student upon the form provided by the board. After such registration, a student may assist, under the direct supervision of Missouri licensed embalmers and funeral directors, in Missouri licensed funeral establishments, while serving his **or her** practicum for the accredited institution of mortuary science education. The [forms] **form** for registration as a [student and as a] practicum student shall be accompanied by a fee in an amount established by the board.

3. Each applicant for a license to practice embalming shall furnish evidence to establish to the satisfaction of the board that he **or she**:

- (1) Is at least eighteen years of age, and possesses a high school diploma or equivalent thereof;
- (2) Is either a citizen or bona fide resident of the state of Missouri or entitled to a license [under] **pursuant to** section 333.051, or a resident in a county contiguous and adjacent to the state of Missouri who is employed by a funeral establishment located within the state of Missouri, to practice embalming upon the grant of a license to do so;
- (3) Is a person of good moral character;
- (4) Has graduated from an institute of mortuary science education accredited by the American Board of Funeral Service Education, or any successor organization recognized by the United States Department of Education, for funeral service education. If an applicant does not appear for the final examination before the board within five years from the date of his **or her** graduation from an accredited institution of mortuary science education, his **or her** registration as

a student embalmer shall be automatically canceled;

(5) Upon due examination administered by the board, is possessed of a knowledge of the subjects of embalming, anatomy, pathology, bacteriology, mortuary administration, chemistry, restorative art, together with statutes, rules and regulations governing the care, custody, shelter and disposition of dead human bodies and the transportation thereof or has passed the national board examination of the Conference of Funeral Service Examining Boards. If any applicant fails to pass the state examination, he **or she** may retake the examination at the next regular examination meeting. The applicant shall notify the board office of his **or her** desire to retake the examination at least thirty days prior to the date of the examination. Each time the examination is retaken, the applicant shall pay a new examination fee in an amount established by the board;

(6) Has been employed full time in funeral service in a licensed funeral establishment and has personally embalmed at least twenty-five dead human bodies under the personal supervision of an embalmer who holds a current and valid Missouri embalmer's license or an embalmer who holds a current and valid embalmer's license in a state with which the Missouri board has entered into a reciprocity agreement during an apprenticeship of not less than twelve consecutive months. "Personal supervision" means that the licensed embalmer shall be physically present during the entire embalming process in the first six months of the apprenticeship period and physically present at the beginning of the embalming process and available for consultation and personal inspection within a period of not more than one hour in the remaining six months of the apprenticeship period. All transcripts and other records filed with the board shall become a part of the board files.

4. If the applicant does not appear for oral examination within the five years after his **or her** graduation from an accredited institution of mortuary science education, then he **or she** must file a new application and no fees paid previously shall apply toward the license fee.

5. Examinations required by this section and section 333.042 shall be held at least twice a year at times and places fixed by the board. The board shall by rule and regulation prescribe the standard for successful completion of the examinations.

6. Upon establishment of his **or her** qualifications as specified by this section or section 333.042, the board shall issue to the applicant a license to practice funeral directing or embalming, as the case may require, and shall register the applicant as a duly licensed funeral director or a duly licensed embalmer. Any person having the qualifications required by this section and section 333.042 may be granted both a license to practice funeral directing and to practice embalming.

7. The board shall, upon request, waive any requirement of this chapter and issue a temporary funeral director's license, valid for six months, to the surviving spouse or next of kin or the personal representative of a licensed funeral director, or to the spouse, next of kin, employee or conservator of a licensed funeral director disabled because of sickness, mental incapacity or injury.

333.042. 1. Every person desiring to enter the profession of funeral directing in this state shall make application with the state board of embalmers and funeral directors and pay the current application and examination fees. Applicants not entitled to a license [under] **pursuant to** section 333.051 shall serve an apprenticeship for at least twelve months in a funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state or in another state which has established standards for admission to practice funeral directing equal to, or more stringent than, the requirements for admission to practice funeral directing in this state. The applicant shall devote at least fifteen hours per week to his **or her** duties as an apprentice under the supervision of a Missouri licensed funeral director. Such applicant shall submit proof to the board, on forms provided by the board, that the applicant has arranged and conducted ten funeral services during the applicant's apprenticeship under the supervision of a Missouri licensed funeral director. Upon completion of the apprenticeship, the applicant shall appear before the board to be tested on the applicant's legal and practical knowledge of funeral directing, funeral home licensing, preneed funeral contracts and the care, custody, shelter, disposition and transportation of dead human bodies. Upon acceptance of the application and fees by the board, an applicant shall have twenty-four months to successfully complete the requirements for licensure found in this section or the application for licensure shall be canceled.

2. If a person applies for a limited license to work only in a funeral establishment which is licensed only for cremation, including transportation of dead human bodies to and from the funeral establishment, he **or she** shall **make application, pay the current application and examination fee and** successfully complete the [written] **Missouri law** examination [pursuant to subsection 1 of this section; however, he is]. **He or she shall be** exempt from the [six-month internship, six-month] **twelve-month** apprenticeship and the practical examination before the board. If a person has

a limited license issued pursuant to this subsection, he **or she** may obtain a full funeral director's license if he **or she** fulfills the [internship,] apprenticeship and [practical knowledge test requirements of subsection 1 of this section] **successfully completes the funeral director practical examination.**

3. If an individual is a Missouri licensed embalmer or has graduated from an institute of mortuary science education accredited by the American Board of Funeral Service Education or any successor organization recognized by the United States Department of Education for Funeral Service Education, or has successfully completed a course of study in funeral directing offered by a college accredited by a recognized national, regional or state accrediting body and approved by the state board of embalmers and funeral directors, and desires to enter the profession of funeral directing in this state, the individual shall comply with all the requirements for licensure as a funeral director pursuant to subsection 1 of section 333.041 and subsection 1 of this section; however, the individual is exempt from the twelve-month apprenticeship required by subsection 1 of this section.

333.061. 1. No funeral establishment shall be operated in this state unless the owner or operator thereof has a license issued by the board.

2. A license for the operation of a funeral establishment shall be issued by the board, if the board finds:

(1) That the establishment is under the general management and the supervision of a duly licensed funeral director;

(2) That all embalming performed therein is performed by or under the direct supervision of a duly licensed embalmer;

(3) That any place in the funeral establishment where embalming is conducted contains a preparation room with a sanitary floor, walls and ceiling, and adequate sanitary drainage and disposal facilities including running water, and complies with the sanitary standard prescribed by the department of health for the prevention of the spread of contagious, infectious or communicable diseases;

(4) Each funeral establishment shall have available in the preparation or embalming room a register book or log which shall be available at all times in full view for the board's inspector and the name of each body embalmed, place, if other than at the establishment, the date and time that the embalming took place, the name and signature of the embalmer and [his] **the embalmer's** license number shall be noted in the book; and

(5) The establishment complies with all applicable state, county or municipal zoning ordinances and regulations.

3. The board shall grant or deny each application for a license [under] **pursuant to** this section within thirty days after it is filed[, and no prosecution of any person who has filed an application for such license for violation of this section shall be maintained unless it is shown that his application was duly denied by the board and that he was duly notified thereof]. **The applicant may request in writing up to two thirty-day extensions of the application, provided the request for an extension is received by the board prior to the expiration of the thirty-day application or extension period.**

4. Licenses shall be issued [under] **pursuant to** this section upon application and the payment of a funeral establishment fee and shall be renewed at the end of the licensing period on the establishment's renewal date.

5. The board may refuse to renew or may suspend or revoke any license issued [under] **pursuant to** this section if it finds, after hearing, that the funeral establishment does not meet any of the requirements set forth in this section as conditions for the issuance of a license, or for the violation by the owner of the funeral establishment of any of the provisions of section 333.121. No new license shall be issued to the owner of a funeral establishment or to any corporation controlled by such owner for three years after the revocation of the license of the owner or of a corporation controlled by the owner. Before any action is taken [under] **pursuant to** this subsection the procedure for notice and hearing as prescribed by section 333.121 shall be followed.

333.081. 1. Each license issued to a funeral director or embalmer [under] **pursuant to** this chapter shall expire unless renewed on or before the renewal date. The board may, however, provide for the renewal of licenses held by individuals who are not actively engaged in practice and who are over sixty-five years of age without fee. The board shall renew any such license upon due application for renewal and upon the payment of the renewal fee, except that no license shall expire during the period when the holder thereof is actively engaged in the military service of the United States. Any licensee exempted from the renewal of his **or her** license because of military service shall, before beginning practice in this state after leaving military service, apply for and pay the renewal fee for the current licensing period.

2. When renewing a funeral director's or embalmer's license the licensee shall specify the address of the funeral establishment at which he **or she** is practicing or proposes to practice and shall notify the board of any termination of his **or her** connection therewith. The licensee shall notify the board of any new employment or connection with a

funeral establishment of a permanent nature. If the licensee is not employed at or connected with a funeral establishment he shall notify the board of his **or her** permanent address.

3. [The board shall not renew any license more than ninety days after the renewal date but shall notify the licensee that his license has expired.] The holder of an expired license shall be issued a new license by the board within two years of the renewal date after he **or she** has paid delinquent renewal fees. Any license not renewed within two years shall be void.

4. Failure of the licensee to receive the renewal notice shall not relieve the licensee of the duty to pay the renewal fee and renew his **or her** license."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Relford, **House Amendment No. 1 to Part III of HS HCS HB 1242** was adopted.

Representative Foley offered **House Amendment No. 2 to Part III of HS HCS HB 1242**.

*House Amendment No. 2
to
Part III*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 1, In the Title, Line 6, by striking the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 13 of said page, by striking the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by inserting after "331.050," the following: "332.086,"; and

Further amend said bill, Page 14, Section 331.050, Line 8 of said page, by inserting immediately after said line the following:

"332.086. 1. There is hereby established a five-member "Advisory Commission for Dental Hygienists", composed of dental hygienists appointed by the governor as provided in subsection 2 of this section and the dental hygienist member of the Missouri dental board, which shall guide, advise and make recommendations to the Missouri dental board. The commission shall:

- (1) Recommend the educational requirements to be registered as a dental hygienist;**
- (2) Annually review the practice act of dental hygiene;**
- (3) Make recommendations to the Missouri dental board regarding the practice, licensure, examination and discipline of dental hygienists; and**
- (4) Assist the board in any other way necessary to carry out the provisions of this chapter as they relate to dental hygienists.**

2. The members of the commission shall be appointed by the governor with the advice and consent of the senate. Each member of the commission shall be a citizen of the United States and a resident of Missouri for one year and shall be a dental hygienist registered and currently licensed pursuant to this chapter. Members of the commission who are not also members of the Missouri dental board shall be appointed for terms of five years, except for the members first appointed, one of which shall be appointed for a term of two years, one shall be appointed for a term of three years, one shall be appointed for a term of four years and one shall be appointed for a term of five years. The dental hygienist member of the Missouri dental board shall become a member of the commission and shall serve a term concurrent with the member's term on the dental board. All members of the initial commission shall be appointed by April 1, 2001. Members shall be chosen from lists submitted by

the director of the division of professional registration. Lists of dental hygienists submitted to the governor may include names submitted to the director of the division of professional registration by the president of the Missouri Dental Hygienists Association.

3. The commission shall hold an annual meeting at which it shall elect from its membership a chairperson and a secretary. The commission shall meet in conjunction with the dental board meetings or no more than fourteen days prior to regularly scheduled dental board meetings. Additional meetings shall require a majority vote of the commission. A quorum of the commission shall consist of a majority of its members.

4. Members of the commission shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties on the commission and in attending meetings of the Missouri dental board. The Missouri dental board shall provide all necessary staff and support services as required by the commission to hold commission meetings, to maintain records of official acts, and to conduct all other business of the commission."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Foley, **House Amendment No. 2 to Part III of HS HCS HB 1242** was adopted.

Representative Kennedy offered **House Amendment No. 3 to Part III of HS HCS HB 1242.**

*House Amendment No. 3
to
Part III*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 1, In the Title, Line 2, by striking the word "section" and inserting in lieu thereof the following: "sections 334.128 and"; and

Further amend said bill, Page 1, In the Title, Line 6, by striking the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 11 of said page, by striking the word "Section" and inserting in lieu thereof the following: "Sections 334.128 and"; and

Further amend said bill, Page 1, Section A, Line 13 of said page, by striking the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by inserting immediately after "331.050," the following: "334.128,"; and

Further amend said bill, Page 14, Section 331.050, Line 8 of said page, by inserting immediately after said line the following:

"334.128. Any person who reports or provides information to the board, or any person who assists the board, including, but not limited to, **physicians' health programs operated in this state approved by the board for impaired physicians, and individuals working or consulting with, or staffing such physicians' health programs, or** applicants or licensees who are the subject of an investigation, physicians serving on competency panels, medical record custodians, consultants, attorneys, board members, agents, employees or expert witnesses, in the course of any investigation, hearing or other proceeding conducted by or before the board pursuant to the provisions of this chapter and who does so in good faith and without malice shall not be subject to an action for civil damages as a result thereof, and no cause of action [of any nature] shall arise against him **or her as a result of his or her conduct pursuant to this section.** The attorney general shall defend such persons in any such action or proceeding."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kennedy, **House Amendment No. 3 to Part III of HS HCS HB 1242** was adopted.

On motion of Representative Treadway, **Part III of HS HCS HB 1242, as amended**, was adopted.

Representative Barry offered **House Amendment No. 1 to Part IV of HS HCS HB 1242**.

*House Amendment No. 1
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 21, Section 334.735, Line 19, by inserting at the end of said line the following:

“9. No physician may be designated to serve as supervising physician for more than three full time equivalent licensed physician assistants. This information shall not apply to physician assistant agreements of hospital employees providing in-patient care services in hospitals as defined in Chapter 197, RSMo.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present.”; and

Further amend said section, Page 21, Line 20, by deleting the number “9” on said line and inserting in lieu thereof the number “**11**”.

Speaker Pro Tem Kreider resumed the Chair.

On motion of Representative Barry, **House Amendment No. 1 to Part IV of HS HCS HB 1242** was adopted.

Representative Monaco offered **House Amendment No. 2 to Part IV of HS HCS HB 1242**.

*House Amendment No. 2
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 15, Section 344.735, Line 18, by deleting Section (8) in its entirety and replacing it with the following new section:

“(8) “Supervision”, direct, on-site control exercised over a physician assistant working within the same office facility and at the same office location where the supervising physician is present, except a physician assistant may make follow-up patient examinations in hospitals, nursing homes and correctional facilities, each such examination being reviewed, approved and signed by the supervising physician, and the physician assistant may make follow up examinations in the same office setting where the supervising physician is continuously present pursuant to written protocols and standing orders provided so long as the supervising physician also sees the patient for any initial evaluation and approves or formulates the plan of treatment for new or

significantly changed conditions as soon as is practical but not more than two (2) days after the patient has been seen by the physician assistant. The board shall promulgate rules pursuant to chapter 536, RSMo, for the proximity of practice between the physician assistant and the supervising physician and documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant for the follow up examinations in hospitals, nursing homes and correctional facilities and shall also promulgate rules governing the written protocols and standing orders between the physician assistant and supervising physician and the documentation of joint review of practice pursuant to such protocols and standing orders.”

Representative Monaco moved that **House Amendment No. 2 to Part IV of HS HCS HB 1242** be adopted.

Which motion was defeated.

Representative Summers offered **House Amendment No. 3 to Part IV of HS HCS HB 1242.**

*House Amendment No. 3
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 17, Section 334.735, Line 10, by inserting immediately after said line the following:

“The board of healing arts shall adopt a rule to allow students enrolled in their second year of medical studies to be licensed as a physician assistant.”

HCS HB 1242, with House Amendment No. 3 to Part IV, as amended, Part V and Part VI of HS, as amended, pending, was laid over.

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCR 21 - Governmental Organization and Review
SCR 23 - Environment and Energy
SCR 25 - Transportation
SCR 27 - Agriculture

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 769 - Public Safety and Law Enforcement
SB 789 - Correctional and State Institutions
SCS SB 868 - Local Government and Related Matters

SB 881 - Transportation
SCS SB 883 - Professional Registration and Licensing
SCS SB 893 - Local Government and Related Matters

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SCS SB 557 - Civil and Administrative Law

COMMITTEE REPORTS

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1973** and **HB 1880**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1493**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1881**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 29, introduced by Representative Graham (24), to denounce the decision by the United States Department of Energy to reroute nuclear waste through the State of Missouri on Interstate 70.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1013**, entitled:

An act to amend chapter 169, RSMo, by adding thereto one new section relating to certain school retirement systems.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1036**, entitled:

An act to authorize the conveyance of state property located in Buchanan County, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1037**, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to political subdivisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 936**, entitled:

An act to repeal section 144.157, RSMo 1994, relating to the collection of certain taxes, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 974**, entitled:

An act to amend chapter 332, RSMo, by adding thereto one new section relating to dental services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1053**, entitled:

An act to amend chapter 590, RSMo, relating to peace officers by adding thereto one new section relating to profiling for traffic stops.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, March 29, 2000.

COMMITTEE MEETINGS

BUDGET

Wednesday, March 29, 2000, 9:00 am. Hearing Room 3.

Possible Executive Session. AMENDED.

To be considered - HB 1120

BUDGET

Thursday, March 30, 2000, 8:30 am. Hearing Room 3.

Executive Session. To be considered - HB 1120

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 29, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1664, HB 1935, HB 1981, HB 2091, Executive Session - HB 1646

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, March 30, 2000, 9:00 am. Hearing Room 4.

Executive Session. To be considered - HB 1860, HB 1958

EDUCATION - HIGHER

Wednesday, March 29, 2000. Hearing Room 5 upon morning adjournment.

To be considered - HB 2062

EDUCATION - HIGHER

Thursday, March 30, 2000. Side gallery upon adjournment.

To be considered - Executive Session - HB 1888, Executive Session - HB 2044,

Executive Session - HB 2062

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 29, 2000, 8:00 am. Hearing Room 6. AMENDED.

To be considered - HB 1318, HB 1561, HB 1763

MISSOURI TOBACCO SETTLEMENT

Thursday, March 30, 2000, 8:30 am. Hearing Room 1.

To be considered - Executive Session - SB 549

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Wednesday, March 29, 2000. Side gallery upon morning adjournment.

Executive Session. To be considered - HB 1976, HB 2070

TRANSPORTATION

Wednesday, March 29, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow. To be considered - HB 2102, HCR 18

URBAN AFFAIRS

Wednesday, March 29, 2000. Side gallery upon morning adjournment.
Executive Session. To be considered - HB 1846, HB 2114

UTILITIES REGULATION

Thursday, March 30, 2000, 8:30 am. Hearing Room 6.
To be considered - HB 1778, HB 1842, HB 1895

HOUSE CALENDAR

FORTY-FIFTH DAY, WEDNESDAY, MARCH 29, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING
HCR 29

HOUSE JOINT RESOLUTION FOR PERFECTION
HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HB 1238 - Hoppe
- 2 HCS HB 1242, HA 3 to Part IV, as amended, Part V and Part VI of HS,
as amended, pending - Treadway
- 3 HB 1472 - Smith
- 4 HCS HB 1434 - Skaggs
- 5 HCS HB 1481 - Smith
- 6 HCS HB 1305 - Rizzo
- 7 HCS HB 1574 & 1640 - Britt
- 8 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 9 HCS HB 1652 & 1433 - Hoppe
- 10 HB 1603, HCA 1 and HCA 2 - O'Connor
- 11 HCS HB 1711 - Abel
- 12 HCS HB 1797 - Gratz
- 13 HCS HB 1569 - Bray
- 14 HCS HB 1932 - Harlan
- 15 HCS HB 1967 - Hoppe
- 16 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve

HOUSE BILLS FOR PERFECTION - CONSENT

(March 27, 2000)

- 1 HB 1597 - Auer
- 2 HB 1284 - Kissell
- 3 HB 1659 - Summers
- 4 HB 1340 - Klindt
- 5 HB 1828 - Gross
- 6 HB 1095 - Richardson
- 7 HB 1358 - Loudon
- 8 HB 1275 - Chrismer

HOUSE BILL FOR THIRD READING

HS HB 1615 - Hosmer

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1085 - Selby
- 2 HB 1396 - Farnen
- 3 HB 1097 - Hosmer
- 4 HB 1289 - Auer
- 5 HB 1335 - Scheve
- 6 HB 1848 - Treadway
- 7 HB 1923, E.C. - Ransdall
- 8 HB 1875 - Franklin
- 9 HB 1802 - Monaco
- 10 HB 1544 - Smith
- 11 HB 1591 - Backer
- 12 HB 1739 - Auer
- 13 HB 1486 - Abel
- 14 HB 1509 - Hosmer
- 15 HB 1374 - Graham (24)
- 16 HB 1465 - Ransdall
- 17 HB 1706 - Gambaro
- 18 HB 1428 - Hickey
- 19 HB 1454 - Hoppe
- 20 HB 1604 - Graham (106)
- 21 HB 1568 - Riback Wilson (25)
- 22 HB 1596 - Auer
- 23 HB 1685 - Smith
- 24 HB 1948 - Gratz
- 25 HB 1825 - Klindt
- 26 HB 1077 - Relford
- 27 HB 1808 - O'Toole

- 28 HB 1499 - Hoppe
- 29 HB 1647 - Skaggs
- 30 HB 1631 - Hoppe
- 31 HB 1841 - Kreider
- 32 HB 1579 - Hoppe

SENATE BILLS FOR SECOND READING

- 1 SB 936
- 2 SB 974
- 3 SCS SB 1013
- 4 SCS SB 1036
- 5 SB 1037
- 6 SB 1053

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FORTY-FIFTH DAY, WEDNESDAY, MARCH 29, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Our Father in Heaven, give to the men and women of this House a heart for that which lies before them today. If that which we intend for the day makes us uncomfortable in Your presence, take it from us.

If what we intend is for the good, then confirm us in that. Keep these men and women, and all who work with them, quick of foot, light of heart and agile of mind; so, with gladness, they may do all that You bless. To You be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Trevor W. Howell, Nathaniel Witt, Adam Deis, Mary Liese, Sarah Liese, Jareth Clemensen, Austin O'Bryan and Lauren Bromley.

The Journal of the forty-fourth day was approved as corrected by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47

King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 001

Reid

ABSENT WITH LEAVE: 004

Berkstresser	Hegeman	Secrest	Stokan
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VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 729 - Representative Barry
House Resolution No. 730 - Representative Smith
House Resolution No. 731 - Representative Gross
House Resolution No. 732 - Representative Treadway
House Resolution No. 733
and
House Resolution No. 734 - Representative Backer
House Resolution No. 735 - Representative Davis (122)
House Resolution No. 736 - Representative McClelland
House Resolution No. 737
through
House Resolution No. 740 - Representative Naeger
House Resolution No. 741 - Representative Shields
House Resolution No. 742 - Representative Sallee
House Resolution No. 743 - Representative Farnen
House Resolution No. 744 - Representative Graham (24)

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 29 was read the second time.

SECOND READING OF SENATE BILLS

SB 936, SB 974, SCS SB 1013, SCS SB 1036, SB 1037 and **SB 1053** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1242, with House Amendment No. 3 to Part IV, as amended, Part V and Part VI of HS, as amended, pending, relating to professional registration, was taken up by Representative Treadway.

House Amendment No. 3 to Part IV of HS HCS HB 1242 was withdrawn.

Representative Summers offered **House Amendment No. 3 to Part IV of HS HCS HB 1242**.

*House Amendment No. 3
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 17, Section 334.735, Line 10, by inserting immediately after said line the following:

“The board of healing arts shall adopt rules to allow students enrolled in their third year of medical studies to be licensed as a physician assistant. Such rules shall include a standardized test which does not exceed the parameters of any test for licensure which is given to a physician assistant.”

Representative Summers moved that **House Amendment No. 3 to Part IV of HS HCS HB 1242** be adopted.

Which motion was defeated.

Representative Monaco offered **House Amendment No. 4 to Part IV of HS HCS HB 1242**.

*House Amendment No. 4
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 21, Section 334.735, Line 22, by inserting after the period the following:

“10. The state board of registration for healing arts shall randomly inspect any facility in which a physician assistant works independent of a physician. The inspection shall include but is not limited to making a determination as to whether a physician assistant has made or is making diagnosis within their scope of practice.”

Representative Monaco moved that **House Amendment No. 4 to Part IV of HS HCS HB 1242** be adopted.

Which motion was defeated.

Representative Holand offered **House Amendment No. 5 to Part IV of HS HCS HB 1242**.

*House Amendment No. 5
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 16, Section 344.735, Line 6, after the word “telecommunications.”, insert the following:

“A supervising physician shall be personally present for practice supervision and collaboration a minimum of 20% of clinic hours in any clinic location utilizing physicians assistants.”

On motion of Representative Holand, **House Amendment No. 5 to Part IV of HS HCS HB 1242** was adopted.

Representative Summers offered **House Amendment No. 6 to Part IV of HS HCS HB 1242**.

*House Amendment No. 6
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 14, Section 334.735, Line 20, by inserting immediately after the word “thereof” the following new section and renumber accordingly:

“(5) “Informed consent”, consent to medical treatment based on a full, fair and truthful disclosure of known and reasonably foreseeable benefits, risks and hazards of the proposed treatment and of alternative treatments. Such process allows the patient, client or recipient of medical treatments, or the legal guardian of such patient, client or recipient, to exercise a free and independent judgment by reasonably balancing the probable risks against the probable benefits”; and

Further amend said bill, Page 19, Line 21, by inserting immediately after the period, the following:

“Prior to providing health services, a physician assistant shall:

- (1) Truthfully inform every patient, client or healthcare consumer of the physician assistant’s training and credentials;
- (2) Truthfully inform every patient, client or healthcare consumer of the risks, hazards and relative benefits of all proposed treatments and alternative treatments;
- (3) Obtain written informed consent from every patient, client or healthcare consumer; and
- (4) Inform every patient, client or healthcare consumer of his or her right to withdraw consent at any time and request physician oversight.

Every licensing board governing the conduct of physician assistants shall adopt and enforce rules of professional conduct requiring the informed consent contained in section 334.735. Any patient, client or healthcare consumer who is incompetent by virtue of infancy, mental status or other legally valid reason, shall provide informed consent through the written informed consent and signature of a legal guardian. Any physician assistant who violates any of the provisions of section 334.735 shall, at the discretion of the relevant licensing board, constitute grounds for revocation or suspension of such provider’s license or certification to practice in the state of Missouri. Each violation shall be reported to the public upon request.”

Representative Holand offered **House Substitute Amendment No. 1 for House Amendment No. 6 to Part IV of HS HCS HB 1242**.

*House Substitute Amendment No. 1
for
House Amendment No. 6
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 14, Section 334.735, Line 20, by inserting immediately after the word “thereof” the following new section and renumber accordingly:

“(5) “Informed consent”, consent to medical treatment based on a full, fair and truthful disclosure of known and reasonably foreseeable benefits, risks and hazards of the proposed treatment and of alternative

treatments. Such process allows the patient, client or recipient of medical treatments, or the legal guardian of such patient, client or recipient, to exercise a free and independent judgment by reasonably balancing the probable risks against the probable benefits”; and

Further amend said bill, Page 19, Line 21, by inserting immediately after the period, the following:

“Prior to providing health services, a physician assistant shall:

- (1) Truthfully inform every patient, client or healthcare consumer of the advance practice nurse or physician assistant’s training and credentials;**
- (2) Truthfully inform every patient, client or healthcare consumer of the risks, hazards and relative benefits of all proposed treatments and alternative treatments;**
- (3) Obtain written informed consent from every patient, client or healthcare consumer; and**
- (4) Inform every patient, client or healthcare consumer of his or her right to withdraw consent at any time and request physician oversight.**

Every licensing board governing the conduct of advance practice nurses or physician assistants shall adopt and enforce rules of professional conduct requiring the informed consent contained in section 334.735. Any patient, client or healthcare consumer who is incompetent by virtue of infancy, mental status or other legally valid reason, shall provide informed consent through the written informed consent and signature of a legal guardian. Any physician assistant who violates any of the provisions of section 334.735 shall, at the discretion of the relevant licensing board, constitute grounds for revocation or suspension of such provider’s license or certification to practice in the state of Missouri. Each violation shall be reported to the public upon request.”

Representative Monaco raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 6 to Part IV of HS HCS HB 1242** goes beyond the scope of the base amendment and Part IV of the bill.

The Chair ruled the point of order not well taken.

Representative Holand moved that **House Substitute Amendment No. 1 for House Amendment No. 6 to Part IV of HS HCS HB 1242** be adopted.

Which motion was defeated by the following vote:

AYES: 019

Ballard	Barnett	Bartle	Gaskill	Graham 106
Hanaway	Holand	King	Legan	Levin
Linton	Lograsso	Luetkemeyer	Monaco	Myers
Nordwald	Ross	Sallee	Summers	

NOES: 131

Abel	Akin	Alter	Auer	Backer
Barry 100	Bennett	Berkowitz	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Gambaro	George	Gibbons	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hartzler 123	Hartzler 124	Hegeman	Hendrickson

Hickey	Hilgemann	Hohulin	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Liese	Long
Loudon	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Murphy	Murray	O'Connor	O'Toole	Overschmidt
Parker	Patek	Phillips	Pouche 30	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Ridgeway	Riley	Rizzo	Robirds	Scheve
Schilling	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 011

Bartelsmeyer	Berkstresser	Froelker	Harlan	Luetkenhaus
Naeger	Ostmann	Pryor	Richardson	Secrest
Stokan				

VACANCIES: 002

Representative Selby offered **House Substitute Amendment No. 2 for House Amendment No. 6 to Part IV of HS HCS HB 1242.**

*House Substitute Amendment No. 2
for
House Amendment No. 6
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 14, Section 334.735, Line 20, by inserting immediately after the word “thereof” the following new section and renumber accordingly:

“(5) “Informed consent”, consent to medical treatment based on a full, fair and truthful disclosure of known and reasonably foreseeable benefits, risks and hazards of the proposed treatment and of alternative treatments. Such process allows the patient, client or recipient of medical treatments, or the legal guardian of such patient, client or recipient, to exercise a free and independent judgment by reasonably balancing the probable risks against the probable benefits”; and

Further amend said bill, Page 19, Line 21, by inserting immediately after the period, the following:

“Prior to providing health services, a physician or physician assistant shall:

- (1) Truthfully inform every patient, client or healthcare consumer of the physician assistant’s training and credentials;**
- (2) Truthfully inform every patient, client or healthcare consumer of the risks, hazards and relative benefits of all proposed treatments and alternative treatments;**
- (3) Obtain written informed consent from every patient, client or healthcare consumer; and**
- (4) Inform every patient, client or healthcare consumer of his or her right to withdraw consent at any time and request physician oversight.**

Every licensing board governing the conduct of physician assistants shall adopt and enforce rules of professional conduct requiring the informed consent contained in section 334.735. Any patient, client or

healthcare consumer who is incompetent by virtue of infancy, mental status or other legally valid reason, shall provide informed consent through the written informed consent and signature of a legal guardian. Any physician assistant who violates any of the provisions of section 334.735 shall, at the discretion of the relevant licensing board, constitute grounds for revocation or suspension of such provider's license or certification to practice in the state of Missouri. Each violation shall be reported to the public upon request."

Representative Selby moved that **House Substitute Amendment No. 2 for House Amendment No. 6 to Part IV of HS HCS HB 1242** be adopted.

Which motion was defeated.

Representative Summers moved that **House Amendment No. 6 to Part IV of HS HCS HB 1242** be adopted.

Which motion was defeated by the following vote.

AYES: 044

Akin	Alter	Backer	Ballard	Barry 100
Bartle	Bennett	Black	Blunt	Boatright
Cierpiot	Davis 122	Elliott	Enz	Fitzwater
Foster	Fraser	Froelker	Graham 106	Hanaway
Hartzler 124	Hendrickson	Howerton	King	Legan
Levin	Long	Marble	Merideth	Monaco
Naeger	Patek	Phillips	Pouche 30	Reid
Relford	Richardson	Ridgeway	Selby	Summers
Surface	Townley	Williams 159	Wright	

NOES: 100

Abel	Auer	Barnett	Bartelsmeyer	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Champion	Chrismer	Crawford	Crump
Curls	Davis 63	Days	Dolan	Dougherty
Evans	Farnen	Foley	Ford	Gambara
George	Gibbons	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hampton	Hartzler 123
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Kasten	Kelley 47	Kennedy
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Linton	Loudon	Luetkemeyer
Luetkenhaus	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Miller	Murphy	Murray
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Purgason	Ransdall	Reynolds
Riley	Rizzo	Robirds	Sallee	Scheve
Schilling	Schwab	Scott	Seigfreid	Shelton
Shields	Skaggs	Smith	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 017

Berkstresser	Burton	Clayton	Franklin	Gaskill
Hagan-Harrell	Harlan	Hohulin	Kelly 27	Liese
Lograsso	Pryor	Reinhart	Ross	Secrest
Stokan	Williams 121			

VACANCIES: 002

HCS HB 1242, with Part IV as amended, Part V and Part VI of HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 760**, entitled:

An act to repeal section 55.010, RSMo 1994, relating to certain county auditors, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1018**, entitled:

An act to authorize the conveyance of property owned by Southwest Missouri State University.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1020**, entitled:

An act to amend chapter 226, RSMo, by adding thereto one new section relating to the Payne Stewart Highway.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1042**, entitled:

An act to amend chapter 144, RSMo, relating to sales and use taxation by adding thereto one new section relating to bullion and investment coins.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1050**, entitled:

An act to repeal section 190.055, RSMo Supp. 1999, relating to ambulance district board members, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1051**, entitled:

An act to repeal sections 303.025 and 303.409, RSMo Supp. 1999, relating to motor vehicle financial responsibility, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Smith.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Christopher Wilson, Mark Wolf, Anthony Paiz, Jeff Klote, Michael Cervantes, Alex Brueck and Owen D. Lunn.

HOUSE RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 745 - Representative Ford
House Resolution No. 746
and
House Resolution No. 747 - Representative Naeger
House Resolution No. 748 - Representative Crawford
House Resolution No. 749 - Representative Bartelsmeyer
House Resolution No. 750 - Representative Klindt
House Resolution No. 751 - Representatives Hartzler (124) and Phillips
House Resolution No. 752 - Representatives Hartzler (124) and Howerton
House Resolution No. 753 - Representative Howerton
House Resolution No. 754
through
House Resolution No. 756 - Representative Kreider
House Resolution No. 757 - Representative George
House Resolution No. 758 - Representative Campbell

PERFECTION OF HOUSE BILLS

HCS HB 1242, with Part IV, as amended, Part V and Part VI of HS, as amended, pending, relating to professional registration, was again taken up by Representative Treadway.

Representative Chrismer offered **House Amendment No. 7 to Part IV of HS HCS HB 1242.**

*House Amendment No. 7
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 17, Section 334.735, Line 22, by inserting after the period the following:

“Physician assistants shall not encourage, counsel or refer patients to abortion services or to any person or organization that performs abortions or counsels or refers for abortion.”

Representative Graham (24) offered **House Substitute Amendment No. 1 for House Amendment No. 7 to Part IV of HS HCS HB 1242.**

*House Substitute Amendment No. 1
for
House Amendment No. 7
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 17, Section 334.735, Line 10, by inserting after the period the following:

“Physician assistants shall not encourage, counsel or refer patients to abortion services or to any person or organization that performs abortions or counsels or refers for abortion unless the abortion is done to save the life of the mother or if the unborn child is the result of rape or incest.”

Speaker Pro Tem Kreider resumed the Chair.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 137

Akin	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Gambaro
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Levin
Liese	Long	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reinhart	Relford
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 002

Burton Myers

PRESENT: 017

Blunt	Dolan	Elliott	Froelker	Hanaway
Hohulin	Kasten	Legan	Linton	Lograsso
Loudon	Luetkemeyer	Reid	Reynolds	Richardson
Surface	Wright			

ABSENT WITH LEAVE: 005

Abel	Berkstresser	Gaskill	Secrest	Stokan
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VACANCIES: 002

Representative Graham (24) moved that **House Substitute Amendment No. 1 for House Amendment No. 7 to Part IV of HS HCS HB 1242** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Auer	Backer	Boucher 48	Boykins	Bray 84
Britt	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambara	Graham 24	Green	Gunn	Hagan-Harrell
Harlan	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelly 27	Koller	Kreider	Lakin
Leake	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Monaco	Parker	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Shelton	Skaggs	Smith	Thompson	Troupe
Van Zandt	Ward	Williams 121	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 094

Akin	Alter	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bennett	Berkowitz	Blunt
Boatright	Bonner	Burton	Champion	Chrismer
Cierpiot	Crawford	Dolan	Elliott	Enz
Evans	Foster	Froelker	George	Gibbons
Graham 106	Gratz	Griesheimer	Gross	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
Kennedy	King	Kissell	Klindt	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
Merideth	Miller	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Seigfreid	Selby	Shields	Summers
Surface	Townley	Treadway	Tudor	Vogel
Wagner	Wiggins	Williams 159	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Abel	Berkstresser	Black	Gaskill	Secrest
Stokan				

VACANCIES: 002

Representative Reid offered **House Substitute Amendment No. 2 for House Amendment No. 7 to Part IV of HS HCS HB 1242.**

*House Substitute Amendment No. 2
for
House Amendment No. 7
to
Part IV*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 17, Section 334.735, Line 22, by inserting after the period the following:

“Physician assistants while acting within the scope of their practice shall not encourage, counsel or refer patients to abortion services or to any person or organization that performs abortions or counsels or refers for abortions.”

On motion of Representative Reid, **House Substitute Amendment No. 2 for House Amendment No. 7 to Part IV of HS HCS HB 1242** was adopted by the following vote:

AYES: 102

Akin	Alter	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bennett	Berkowitz	Black
Blunt	Boatright	Bonner	Boucher 48	Britt
Burton	Champion	Chrismer	Cierpiot	Crump
Dolan	Enz	Evans	Foley	Foster
Froelker	Gambaro	Gibbons	Graham 106	Gratz
Green	Griesheimer	Gross	Hampton	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kelley 47	Kennedy	King
Kissell	Klindt	Koller	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
Mays 50	McBride	McKenna	Merideth	Miller
Monaco	Murphy	Murray	Naeger	O'Connor
O'Toole	Overschmidt	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Schwab	Scott	Seigfreid	Selby
Shields	Summers	Surface	Townley	Treadway
Troupe	Vogel	Wagner	Ward	Wiggins
Williams 159	Wright			

NOES: 046

Backer	Boykins	Bray 84	Campbell	Clayton
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Ford	Franklin	Fraser
George	Graham 24	Gunn	Hagan-Harrell	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kreider	Lakin	May 108	McClelland
McLuckie	Ostmann	Parker	Relford	Riley
Scheve	Schilling	Shelton	Skaggs	Smith
Thompson	Van Zandt	Williams 121	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Auer	Berkstresser	Crawford	Elliott
Gaskill	Kasten	Myers	Nordwald	Patek
Secrest	Stokan	Tudor		

VACANCIES: 002

On motion of Representative Treadway, **Part IV of HS HCS HB 1242, as amended**, was adopted.

Representative McLuckie offered **House Amendment No. 1 to Part V of HS HCS HB 1242**.

*House Amendment No. 1
to
Part V*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 23, Section 339.150, Line 10 of said page, by inserting immediately after the word "**required**" the following: "**, or who is not a party to the transaction, whether a buyer or a seller**"; and

Further amend said bill, Page 23, Section 339.150, Line 13 of said page, by inserting immediately after the word "**transaction**" the following: "**including a rebate, directly or indirectly, to a party to the transaction, whether a buyer or a seller**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Treadway offered **House Substitute Amendment No. 1 for House Amendment No. 1 to Part V of HS HCS HB 1242**.

*House Substitute Amendment No. 1
for
House Amendment No. 1
to
Part V*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 26, Section 339.150, Line 14, by inserting immediately after said line the following:

"8. Nothing in this chapter shall prevent any consumer from joining any organization in which one of the benefits of membership may be that such organization can negotiate a reduced rate or price for real estate costs for its members nor shall it prohibit an inducement to the buyer paid and supplied by the owner of the property directly to the buyer of the property. Any rebate from a commission must be paid directly from the Missouri licensee to the party to the transaction and must be paid at closing."

On motion of Representative Treadway, **House Substitute Amendment No. 1 for House Amendment No. 1 to Part V of HS HCS HB 1242** was adopted.

Representative Monaco offered **House Amendment No. 2 to Part V of HS HCS HB 1242**.

*House Amendment No. 2
to
Part V*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 23, Section 339.150, Line 19 of said page, by inserting immediately after the words "**before a**" the word "**written**"; and

Further amend said bill, Page 24, Section 339.150, Line 6 of said page, by inserting immediately after the word "cause" the following: "**or a written contractual relationship**"; and

Further amend said bill, Page 25, Section 339.150, Line 2 of said page, by inserting immediately after the word "benefits" the following: ", **or the eligibility or ineligibility for such benefits,**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Monaco moved that **House Amendment No. 2 to Part V of HS HCS HB 1242** be adopted.

Which motion was defeated.

Representative Ridgeway offered **House Amendment No. 3 to Part V of HS HCS HB 1242.**

Representative Treadway raised a point of order that **House Amendment No. 3 to Part V of HS HCS HB 1242** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Treadway, **Part V of HS HCS HB 1242, as amended**, was adopted.

Representative Treadway offered **House Amendment No. 1 to Part VI of HS HCS HB 1242.**

*House Amendment No. 1
to
Part VI*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 27, Section 621.086, Line 15, by inserting immediately after said line the following:

“329.210. 1. The board shall have power to:

(1) Prescribe by rule for the examinations of applicants for licensure to practice the classified occupation of cosmetology and issue licenses;

(2) Prescribe by rule for the inspection of cosmetology establishments and schools and appoint the necessary inspectors and examining assistants;

(3) Prescribe by rule for the inspection of establishments and schools of cosmetology [by persons licensed in cosmetology] as to their sanitary conditions and to appoint the necessary inspectors and, if necessary, examining assistants; and set the amount of the fees which this chapter authorizes and requires, by rules and regulations promulgated pursuant to section 536.021, RSMo. The fees shall be set at a level sufficient to produce revenue which shall not substantially exceed the cost and expense of administering this chapter;

(4) Employ and remove board personnel, as defined in subdivision (4) of subsection 15 of section 620.010, RSMo, as may be necessary for the efficient operation of the board, within the limitations of its appropriation;

(5) Elect one of its members president, one vice president and one secretary; and

(6) Determine the sufficiency of the qualifications of applicants.

2. The board shall create no expense exceeding the sum received from time to time from fees imposed pursuant to this chapter.

3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority of this chapter, shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after August 28, 1998. All

rulemaking authority delegated prior to August 28, 1998, is of no force and effect and repealed as of August 28, 1998, however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted and promulgated prior to August 28, 1998. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028, RSMo, to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to August 28, 1998.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Treadway, **House Amendment No. 1 to Part VI of HS HCS HB 1242** was adopted.

Representative Graham (24) offered **House Amendment No. 2 to Part VI of HS HCS HB 1242**.

*House Amendment No. 2
to
Part VI*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 27, Section 621.046, Line 15, by inserting at the end of said line the following:

“Section 1. Cosmetologists shall not encourage, counsel or refer patients to abortion services or to any person or organization that performs abortions or counsels or refers for abortions.”

Representative Lograsso raised a point of order that **House Amendment No. 2 to Part VI of HS HCS HB 1242** is improperly drafted.

The Chair ruled the point of order not well taken.

On motion of Representative Graham (24), **House Amendment No. 2 to Part VI of HS HCS HB 1242** was adopted.

Representative Barry offered **House Amendment No. 3 to Part VI of HS HCS HB 1242**.

*House Amendment No. 3
to
Part VI*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 1, Section 324.205, Line 17, by inserting immediately before said line the following:

“190.500. Notwithstanding any other provision of law to the contrary, a temporary license may be issued for no more than a twelve-month period by the appropriate licensing board to any otherwise qualified health care professional licensed in another state and who meets such other requirements as the licensing board may prescribe by rule and regulation, if the health care professional:

(1) Is acting pursuant to federal military orders under Title X for active duty personnel or Title [XXII] **XXXII** for military reservists; and

(2) Is enrolled in an accredited training program for trauma treatment and disaster response in a hospital in this state.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barry, **House Amendment No. 3 to Part VI of HS HCS HB 1242** was adopted.

Representative Reynolds offered **House Amendment No. 4 to Part VI of HS HCS HB 1242.**

*House Amendment No. 4
to
Part VI*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 27, Section 621.046, Line 15, by inserting after said line the following:

"324.630. For purposes of sections 324.630 to 324.663 of this act, the following terms mean:

(1) **"Director"**, the director of the division of professional registration in the department of economic development;

(2) **"Division"**, the division of professional registration of the department of economic development;

(3) **"Photo therapy device"**, equipment that emits ultraviolet radiation used by a health care professional in the treatment of disease;

(4) **"Tanning device"**, any equipment that emits electromagnetic radiation with wavelengths in the air between 200 and 400 nanometers used for tanning of the skin, including, but not limited to a sunlamp, tanning booth or tanning bed;

(5) **"Tanning facility"**, any location, place, area, structure or business which provides persons access to any tanning device for a fee.

324.633. No person shall operate a tanning facility without a license issued by the director. All licenses issued by the division and every renewal of such license shall be conspicuously displayed in the tanning facility.

324.646. 1. A tanning facility shall give each customer a written statement warning that:

(1) Not wearing the eye protection provided to the customer by the tanning facility may cause damage to the eyes;

(2) Over exposure causes burns;

(3) Repeated exposure may cause premature aging of the skin and skin cancer;

(4) Abnormal skin sensitivity or burning may be caused by certain:

(a) Foods;

(b) Cosmetics;

(c) Medications, including but not limited to, the following:

a. Tranquilizers;

b. Diuretics;

c. Antibiotics;

d. High blood pressure medicines;

e. Birth control pills;

(5) Any person taking a prescription or over-the-counter drug should consult a physician before using a tanning device;

2. A tanning facility shall post a warning sign in any area where a tanning device is used. The sign shall read as follows:

DANGER: ULTRAVIOLET RADIATION

Follow instructions.

Avoid too frequent or too lengthy exposure. As with natural sunlight, exposure can cause eye and skin injury and allergic reactions. Repeated exposure may cause chronic sun damage characterized by wrinkling, dryness, fragility and bruising of the skin, and skin cancer.

Wear protective eyewear.

FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES.

Ultraviolet radiation from sun lamps will aggravate the effects of the sun. Therefore, do not sunbathe before or after exposure to ultraviolet radiation.

Medication or cosmetics may increase your sensitivity to ultraviolet radiation. Consult a physician before using a tanning device if you are using medications, have a history of skin problems, or believe you are especially sensitive to sunlight. Pregnant women or women on birth control pills who use this product may develop discolored skin.

IF YOU DO NOT TAN IN THE SUN YOU WILL NOT TAN FROM USE OF THIS DEVICE.

3. A tanning facility shall not claim, or distribute promotional materials that claim, that using a tanning device is safe or free from risk.

4. The liability of a tanning facility operator or a manufacturer of a tanning device is not changed by giving the warning as provided in subsection 2 of this section.

324.649. 1. A tanning facility shall:

(1) Have an operator present during operating hours who is sufficiently knowledgeable in the correct operation of the tanning devices used at the facility so that he or she is able to inform and assist each customer in the proper use of the tanning devices;

(2) Before each use of a tanning device, provide each customer with properly sanitized protective eyewear that protects the eye from ultraviolet radiation and allows adequate vision to maintain balance; and not allow a person to use a tanning device if that person does not use the protective eyewear;

(3) Show each customer how to use suitable physical aids, such as handrails and markings on the floor, to maintain proper exposure distance as recommended by the manufacturer;

(4) Use a timer that has an accuracy of plus or minus ten percent of any selected timer interval;

(5) Limit each customer to the maximum exposure time as recommended by the manufacturer; and

(6) Control the interior temperature of a tanning facility so that it does not exceed one hundred degrees Fahrenheit.

2. Every person who uses a tanning facility shall sign a written statement acknowledging that he or she has read and understood the warnings provided in section 324.633 before using the device and agrees to use the protective eyewear that the tanning facility provides. The statement of acknowledgment shall be retained by the tanning facility until the end of the calendar year at which time each person who is a current customer of the facility shall be required to renew such acknowledgment.

3. Whenever using a tanning device a person shall use the protective eyewear that the tanning facility provides.

4. Before any person between the ages of fourteen and eighteen uses a tanning device, he or she shall give the tanning facility a statement signed by his or her parent or legal guardian stating that the parent or legal guardian has read and understood the warnings given by the tanning facility, consents to the minor's use of a tanning device, and agrees that the minor will use the protective eyewear that the tanning facility provides.

5. A person under the age of fourteen shall be accompanied by a parent or legal guardian when using a tanning device.

6. All tanning devices used by a tanning facility shall comply with all applicable federal laws and regulations.

324.652. 1. The director shall promulgate rules and regulations relative to the hygienic practice of tanning facilities and sanitary operations of tanning facilities. Such rules and regulations shall include:

(1) Standards of hygiene to be met and maintained by the tanning facilities in order to receive and maintain a license to operate a tanning facility;

(2) Procedures to be used to grant, revoke or reinstate a license;

(3) Inspection of tanning facilities; and

(4) Any other matter necessary for the administration of sections 324.630 to 324.663.

2. No rule or portion of a rule promulgated pursuant to the authority of sections 324.630 to 324.663 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

324.655. The provisions of sections 324.630 to 324.663 shall not apply to a photo therapy device used by or under the direct supervision of a licensed physician who is trained in the use of photo therapy devices.

324.658. 1. The division shall set by rule the appropriate amount of fees authorized pursuant to sections

324.630 to 324.663. The fees shall be set at a level to produce revenue which shall not exceed the cost and expense of administering the provisions of sections 324.630 to 324.663. All funds received by the division pursuant to the provisions of sections 324.630 to 324.663 shall be collected by the director who shall transmit the funds to the department of revenue for deposit in the state treasury to the credit of the "Tanning Facility Fund" which is hereby created.

2. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds three times the amount of the appropriation from the tanning facility fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the tanning facility fund for the preceding fiscal year.

3. No licensing activity or other statutory requirements shall become effective until expenditures or personnel are specifically appropriated for the purpose of conducting the business as required to administer the provisions of sections 324.630 to 324.663 and the initial rules filed have become effective. The director of the division of professional registration shall have the authority to borrow funds from any agency within the division to commence operations upon appropriation for such purpose. This authority shall cease at such time that a sufficient fund has been established by the agency to fund its operations and repay the amount borrowed.

324.660. The division shall employ, within the funds appropriated, such employees as are necessary to carry out the provisions of sections 324.630 to 324.663.

324.663. Any person who violates any provision of sections 324.630 to 324.663 is guilty of a class C misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Loudon raised a point of order that **House Amendment No. 4 to Part VI of HS HCS HB 1242** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Reynolds moved that **House Amendment No. 4 to Part VI of HS HCS HB 1242** be adopted.

Which motion was defeated.

Representative Griesheimer offered **House Amendment No. 5 to Part VI of HS HCS HB 1242.**

*House Amendment No. 5
to
Part VI*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 27, Section 621.046, Line 15, by inserting immediately after said line the following:

"214.275. 1. No endowed care or nonendowed care cemetery shall be operated in this state unless the owner or operator thereof has a certificate of authority issued by the division **and complies with all applicable state, county or municipal ordinances and regulations.**

2. [The cemetery complies with all applicable state, county or municipal ordinances and regulations.] **It shall not be unlawful for a person, who does not have a certificate of authority, to care for or maintain the cemetery premises, or to fulfill prior contractual obligations for the interment of human remains in burial spaces.**

3. [The division shall grant or deny each application for a certificate of authority pursuant to this section within thirty days after it is filed, and no prosecution of any person who has filed an application for such certificate shall be

initiated unless it is shown that such application was duly denied by the division and that the owner was duly notified thereof.] **Applications for a certificate of authority shall be in writing, submitted to the division on forms prescribed by the division. The application shall contain such information, as the division deems necessary, and be accompanied by the required fees.**

4. [The division may refuse to renew or may suspend or revoke any certificate pursuant to sections 214.270 to 214.516 if it finds, after hearing, that the cemetery does not meet the requirements set forth in sections 214.270 to 214.516 as conditions for the issuance of a certificate, or for the violation by the owner of the cemetery of any of the provisions of section 214.276. No new certificate shall be issued to the owner of a cemetery or to any corporation controlled by such owner for three years after the revocation of the certificate of the owner or of a corporation controlled by the owner. Before any action is taken pursuant to this subsection, the procedure for notice and hearing as prescribed by section 214.276 shall be followed.] **Each certificate of authority issued pursuant to sections 214.270 to 214.516 shall be renewed every two years prior to the certificate renewal date established by the division. The division shall issue a new certificate of authority upon receipt of a proper renewal application and the required renewal fee. The division shall mail a renewal notice to the last known address of the holder of the certificate of authority prior to the renewal date. The holder of a certificate of authority shall keep the division advised of the holder's current address. The certificate of authority issued to the owner or operator of a cemetery which is not renewed within three months after the certificate renewal date shall be suspended automatically, subject to the right of the holder to have the suspended certificate of authority reinstated within nine months of the date of suspension if the person pays the required reinstatement fee. Any certificate of authority suspended and not reinstated within nine months of the suspension shall expire and be void and the holder of such certificate shall have no rights or privileges provided to holders of valid certificates. Any person whose certificate of authority has expired may, upon demonstration of current qualifications and payment of required fees, be reregistered or reauthorized under the person's original certificate of authority number.**

5. **The division shall grant or deny each application for a certificate of authority pursuant to this section within ninety days after it is filed, and no prosecution of any person who has filed an application for such certificate shall be initiated unless it is shown that such application was duly denied by the division and that the owner was duly notified thereof.**

6. **Upon the filing of a completed application, as defined by rule, the applicant may operate the business until its application is acted upon by the division.**

7. **Within thirty days after the sale or transfer of ownership or control of a cemetery, the transferor must return its certificate of authority to the division. A prospective purchaser or transferee of a cemetery, must file an application for a certificate of authority, at least thirty days, prior to the sale or transfer of ownership or control of a cemetery and shall be in compliance with sections 214.270 to 214.516.**

214.276. 1. The division may refuse to issue **or renew** any certificate of registration or authority, required pursuant to sections 214.270 to 214.516 for one or any combination of causes stated in subsection 2 of this section. The division shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

2. The division may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621, RSMo, against any holder of any certificate of registration or authority, required by sections 214.270 to 214.516 or any person who has failed to surrender his or her certificate of registration or authority, for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 214.270 to 214.516;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to sections 214.270 to 214.516, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, issued pursuant to sections 214.270 to 214.516 or in obtaining permission to take any examination given or required pursuant to sections 214.270 to 214.516;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession regulated by sections 214.270 to 214.516;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 214.270 to 214.516, or any lawful rule or regulation adopted pursuant to sections 214.270 to 214.516;

(7) Impersonation of any person holding a certificate of registration or authority, or allowing any person to use his or her certificate of registration or authority;

(8) Disciplinary action against the holder of a certificate or other right to practice any profession regulated by sections 214.270 to 214.516 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 214.270 to 214.516 who is not registered and currently eligible to practice pursuant to sections 214.270 to 214.516;

(11) Issuance of a certificate of registration or authority based upon a material mistake of fact;

(12) Failure to display a valid certificate;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Violation of any of the provisions of sections 214.270 to 214.516;

(16) Willfully and through undue influence selling a cemetery lot, services or merchandise.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the [board] **division** may singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the division deems appropriate for a period not to exceed five years, or may suspend, or revoke the certificate or permit. **No new certificate shall be issued to the owner of a cemetery or to any corporation controlled by such owner for three years after the revocation of the certificate of the owner or of a corporation controlled by the owner.**

4. Operators of all existing endowed care or nonendowed care cemeteries shall, prior to August twenty-eighth following the effective date of this section, apply for a certificate of authority pursuant to this section. All endowed care or nonendowed care cemeteries operating in compliance with sections 214.270 to 214.516 prior to August twenty-eighth following the effective date of this section shall be granted a certificate of authority by the division upon receipt of application.

5. The division may settle disputes arising under subsection 2 and 3 of this section by consent agreement or settlement agreement between the division and the holder of a certificate of authority. Within such a settlement agreement, the division may singly or in combination, impose any discipline or penalties allowed under this section or subsection 4 of section 214.410. Settlement of these disputes shall be entered into pursuant to the procedures set forth in section 621.045, RSMo.

214.367. A prospective purchaser **or transferee** of any endowed care cemetery, with the written consent of the cemetery operator, may obtain a copy of the cemetery's most recent audit or inspection report from the division. [The division shall inform the prospective purchaser, within thirty days, whether the cemetery may continue to operate and be represented as an endowed care cemetery.]

214.392. 1. The division shall:

(1) Recommend prosecution for violations of the provisions of sections 214.270 to 214.410 to the appropriate prosecuting, circuit attorney or to the attorney general;

(2) Employ, within limits of the funds appropriated, such employees as are necessary to carry out the provisions of sections 214.270 to 214.410;

(3) Be allowed to convey full authority to each city or county governing body the use of inmates controlled by the department of corrections and the board of probation and parole to care for abandoned cemeteries located within the boundaries of each city or county;

(4) Exercise all budgeting, purchasing, reporting and other related management functions;

(5) [Promulgate such rules and regulations as are necessary to administer the inspection and audit provisions of the endowed care cemetery law and as are necessary for the establishment and maintenance of the cemetery registry pursuant to section 214.280.] **The division may promulgate rules and regulations necessary to administer the provisions of 214.270 to 214.516 including but not limited to:**

(a) **Rules setting the amount of fees which are authorized pursuant to sections 214.270 to 214.516. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering sections 214.270 to 214.516. All funds received by the division pursuant to the provisions of sections 214.270 to 214.516 shall be collected by the director who shall transmit the funds to the department of revenue for deposit in the state treasury to the credit of the Endowed Care Cemetery Audit Fund as created in section 193.265;**

(b) **Rules to administer the inspection and audit provisions of the endowed care cemetery law;**

(c) **Rules for the establishment and maintenance of the cemetery registry pursuant to section 214.280.**

2. [No rule or portion of a rule promulgated under the authority of this chapter shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided herein, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided herein.

3. Upon filing any proposed rule with the secretary of state, the filing agency shall concurrently submit such proposed rule to the committee, which may hold hearings upon any proposed rule or portion thereof at any time.

4. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the filing agency may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

5. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

- (1) An absence of statutory authority for the proposed rule;
- (2) An emergency relating to public health, safety or welfare;
- (3) The proposed rule is in conflict with state law;
- (4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based.

6. If the committee disapproves any rule or portion thereof, the filing agency shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

7. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

8. Upon adoption of a rule as provided herein, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the constitution, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037, RSMo. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.] **No rule or portion of a rule promulgated under the authority of sections 214.270 to 214.516 shall become effective unless it has been promulgated pursuant to the applicable rulemaking procedures set forth in Chapter 536, RSMo.”; and**

Further amend title and enacting clause accordingly.

On motion of Representative Griesheimer, **House Amendment No. 5 to Part VI of HS HCS HB 1242** was adopted.

Representative Kissell offered **House Amendment No. 6 to Part VI of HS HCS HB 1242.**

House Amendment No. 6
to
Part VI

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 27, Section 621.046, Line 15, by inserting immediately after said line the following:

“Section 1. No person shall tattoo, brand or perform body piercing on the genitals or female breast of another person if the other person is under the age of eighteen, with or without the prior written informed consent of the minor’s parent or legal guardian. Violation of this section is a class A misdemeanor.”

On motion of Representative Kissell, **House Amendment No. 6 to Part VI of HS HCS HB 1242** was adopted.

Representative Lograsso offered **House Amendment No. 7 to Part VI of HS HCS HB 1242.**

House Amendment No. 7
to
Part VI

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 27, Section 621.046, Line 1, by inserting between “attorney” and “and” the words “paid for at your expense” and on line 2, immediately following the word “present” by adding the words “during such interview or questioning”; and

Further amend said bill and page, Line 7, by inserting between “any” and “notice” the word “additional” and delete lines 11 through 13 of said page.

On motion of Representative Lograsso, **House Amendment No. 7 to Part VI of HS HCS HB 1242** was adopted.

Representative Van Zandt offered **House Amendment No. 8 to Part VI of HS HCS HB 1242.**

House Amendment No. 8
to
Part VI

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 27, Section 621.046, Line 15, by inserting immediately after the “period” on said line the following:

“Section 1. Tanning facility operators shall not encourage, counsel or refer patients to abortion services or to any person or organization that performs abortions or counsels or refers for abortions.”

On motion of Representative Van Zandt, **House Amendment No. 8 to Part VI of HS HCS HB 1242** was adopted.

Representative Ostmann offered **House Amendment No. 9 to Part VI of HS HCS HB 1242.**

*House Amendment No. 9
to
Part VI*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 1, In the Title, Line 6, by striking the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 13, by striking the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 15, by striking "and 621.046" and inserting in lieu thereof the following: ", 621.046 and 1"; and

Further amend said bill, Page 27, Section 621.046, Line 15 of said page, by inserting immediately after said line the following:

- "Section 1. 1. A person commits the crime of genital mutilation if such person:**
- (1) Excises or infibulates, in whole or in part, the labia majora, labia minora, vulva or clitoris of a female child less than seventeen years of age; or**
 - (2) Is a parent, guardian or other person legally responsible for a female child less than seventeen years of age and permits the excision or infibulation, in whole or in part, of the labia majora, labia minora, vulva or clitoris of such female child.**
- 2. Genital mutilation is a class B felony.**
- 3. Belief that the conduct described in subsection 1 of this section is required as a matter of custom, ritual or standard practice, or consent to the conduct by the child on whom it is performed or by the child's parent or legal guardian, shall not be an affirmative defense to a charge pursuant to this section.**
- 4. It is an affirmative defense that the defendant engaged in the conduct charged which constitutes genital mutilation if the conduct was:**
- (1) Necessary to preserve the health of the child on whom it is performed and is performed by a person licensed to practice medicine in this state; or**
 - (2) Performed on a child who is in labor or who has just given birth and is performed for medical purposes connected with such labor or birth by a person licensed to practice medicine in this state pursuant to the provisions of chapter 324, RSMo."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ostmann, **House Amendment No. 9 to Part VI of HS HCS HB 1242** was adopted.

Representative Hegeman offered **House Amendment No. 10 to Part VI of HS HCS HB 1242.**

Representative Harlan raised a point of order that **House Amendment No. 10 to Part VI of HS HCS HB 1242** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Holand offered **House Amendment No. 10 to Part VI of HS HCS HB 1242.**

*to
Part VI*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 1, In the Title, Line 4, by striking "and 334.735" and inserting in lieu thereof the following: ", 334.735 and 632.560"; and

Further amend said bill, Page 1, In the Title, Line 6, by striking the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Lines 12 and 13, by striking all of said lines and inserting in lieu thereof the following:

"324.205, 324.212, 324.217, 324.522, 331.050 and 632.560, RSMo Supp. 1999, are repealed and eleven new sections enacted in lieu thereof, to be"; and

Further amend said bill, Page 1, Section A, Line 15, by striking "and 621.046" and inserting in lieu thereof the following: ", 621.046 and 632.560"; and

Further amend said bill, Page 27, Section 621.046, Line 15, by inserting immediately after said line the following:

"632.560. 1. As used in this section, "mental health care provider" means any person licensed pursuant to chapter 334, RSMo, chapter 335, RSMo, or chapter 337, RSMo.

2. To provide repressed memory therapy, recovered memory therapy, reparenting therapy or multiple personality disorder treatment, a person shall be a mental health care provider as defined in subsection 1 of this section **and must obtain written informed consent.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Holand, **House Amendment No. 10 to Part VI of HS HCS HB 1242** was adopted.

Representative Gross offered **House Amendment No. 11 to Part VI of HS HCS HB 1242.**

Representative Treadway raised a point of order that **House Amendment No. 11 to Part VI of HS HCS HB 1242** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Levin offered **House Amendment No. 11 to Part VI of HS HCS HB 1242.**

*House Amendment No. 11
to
Part VI*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 27, Section 621.046, Line 15, by inserting immediately after said line the following:

"Section 1. At the time an appointment with a physician is made for a patient, the physician's office personnel shall disclose by whom the patient will be seen on the date of the appointment."

Representative Levin moved that **House Amendment No. 11 to Part VI of HS HCS HB 1242**

be adopted.

Which motion was defeated.

Representative Bennett offered **House Amendment No. 12 to Part VI of HS HCS HB 1242.**

*House Amendment No. 12
to
Part VI*

AMEND House Substitute for House Committee Substitute for House Bill No. 1242, Page 27, Section 621.046, Line 15, by inserting immediately after said line the following:

“334.103. 1. The license of a physician shall be automatically revoked at such time as the final trial proceedings are concluded whereby a physician has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution [under] **pursuant to** the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of a physician, or for any felony offense, an essential element of which is fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license of a physician to practice the healing arts in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such physician shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri.

3. The license of a physician shall be automatically revoked at such time as such physician is found guilty or has entered a plea of guilty or nolo contendere in a prosecution pursuant to the laws of any state or the laws of the United States or any territory of the United States for assisting in a suicide or if there is clear and convincing evidence that the physician assisted in a suicide in any jurisdiction whether or not it is a criminal offense for a physician to assist in a suicide in such jurisdiction. Nothing in this subsection shall be construed to apply to any physician concerning the treatment of a patient when such physician is following the directions in a living will or durable power of attorney for health care decisions or to any physician who participates in an execution on behalf of the department of corrections.”; and

Further amend said substitute, Page 27, Section 621.046, Line 15, by inserting immediately after said line the following:

565.265. For the purposes of sections 565.265 to 565.274 and section 334.103, RSMo, the following terms mean:

(1) “Licensed health care professional”, a physician and surgeon, podiatrist, osteopath physician and surgeon, physician assistant, nurse, dentist or pharmacist licensed pursuant to the laws of Missouri;

(2) “Suicide”, the act or instance of taking one’s own life voluntarily and intentionally.

565.268. 1. A person who knowingly by force or duress causes another person to commit or attempt to commit suicide is guilty of a class B felony.

2. A person is guilty of a class B felony when the person, with the purpose of assisting another person to commit or to attempt to commit suicide, knowingly either:

(1) Provides the physical means by which another person commits or attempts to commit suicide; or

(2) Participates in a physical act by which another person commits or attempts to commit suicide.

565.271. 1. A licensed health care professional who administers, prescribes or dispenses medications or procedures to relieve another person’s pain or discomfort, even if the medication or procedures may hasten or increase the risk of death, does not violate section 565.268 unless the medications or procedures are knowingly

administered, prescribed or dispensed to cause death.

2. Withholding or withdrawal of a life-sustaining procedure does not violate section 565.268.

565.274. 1. A cause of action for injunctive relief may be maintained against any person who is reasonably believed to be about to violate or who is in the course of violating section 565.268 by any person who is:

- (1) The spouse, parent, child or sibling of the person who would commit suicide;
- (2) Entitled to inherit from the person who would commit suicide;
- (3) A health care provider of the person who would commit suicide;
- (4) A public official with appropriate jurisdiction to prosecute or enforce the laws of this state.

2. Reasonable attorneys' fees shall be awarded to the prevailing party in a civil action brought pursuant to this section.

Representative Bennett moved that **House Amendment No. 12 to Part VI of HS HCS HB 1242** be adopted.

Which motion was defeated.

On motion of Representative Treadway, **Part VI of HS HCS HB 1242, as amended**, was adopted.

On motion of Representative Treadway, **HS HCS HB 1242, as amended**, was adopted.

On motion of Representative Treadway, **HS HCS HB 1242, as amended**, was ordered perfected and printed.

HB 1238, relating to Kansas City delinquent property taxes, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HB 1238**.

Representative Kennedy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1238, Page 8, Section 67.410, Line 20 of said page, by inserting after all of said line the following:

"100.331. 1. Notwithstanding the provisions of section 100.330 or any other provision of law to the contrary, beginning August 28, 2000, the number of commissioners in any city not within a county shall be five; provided that, by the process of attrition the number of commissioners shall be reduced from fifteen to five by the expiration of the terms of currently serving commissioners and nonreplacement of any vacancies. Commissioners shall be appointed for a term of four years each. All commissioners shall be appointed by the mayor of any such city, shall be taxpayers of the city, and shall have resided in the city for five years immediately prior to their appointment. All vacancies shall be filled by the mayor of the city for the unexpired term, subsequent to the time the number of commissioners is reduced to five by attrition.

2. At any time, the governing body of a city not within a county may adopt a plan of consolidation to combine the planned industrial expansion authority of such city with the land reutilization authority of such city."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kennedy, **House Amendment No. 1** was adopted.

Representative Hoppe offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1238, Page 12, Line 24, to Page 14, Line 15, Section 141.530, by deleting all of said section; and

Further amend said bill, Page 14, Line 16 to Page 15, Line 30, Section 141.530, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hoppe, **House Amendment No. 2** was adopted.

On motion of Representative Hoppe, **HS HB 1238, as amended**, was adopted.

On motion of Representative Hoppe, **HS HB 1238, as amended**, was ordered perfected and printed.

HB 1472, relating to juvenile information, was placed on the Informal Calendar.

HCS HB 1481, relating to title insurance, was taken up by Representative Smith.

Representative Smith offered **HS HCS HB 1481**.

Representative Smith offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1481, Section 381.018, Page 14, Line 20 of said page, by deleting the words “**other than**” and by inserting in lieu thereof the words “**in addition to**”; and

Further amend said section, Page 15, Line 13 of said page, by deleting the word “**written**”; and

Further amend said bill, Section 381.048, Page 24, Line 17 of said page, by deleting the words “**or attorney general**”; and

Further amend said bill, Section 381.075, Page 32, Lines 21 through 24 of said page, by deleting said lines and by inserting in lieu thereof the following:

“381.075. 1. Sections 375.570 to 375.750 and sections 375.1150 to 375.1246 shall apply to all title insurers subject to the title insurance act, except as otherwise provided in this section. In applying such sections,”.

On motion of Representative Smith, **House Amendment No. 1** was adopted.

Representative Kennedy offered **House Amendment No. 2.**

Representative Smith raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Gibbons offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

Representative Kennedy raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 2** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

House Amendment No. 2 was withdrawn.

On motion of Representative Smith, **HS HCS HB 1481, as amended**, was adopted.

On motion of Representative Smith, **HS HCS HB 1481, as amended**, was ordered perfected and printed.

On motion of Representative Crump, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1172, 1501, 1633, 1440, 1634, 1177 and 1430**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1085, relating to standards for mental health facilities, was taken up by Representative Selby.

Representative Lograsso offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Bill No. 1085, Page 2, Section 630.705, Line 27, by adding the following after the word "Accreditation": "of Services for Children and Families, Inc."

On motion of Representative Lograsso, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Selby, **HB 1085, as amended**, was read the third time and passed by the following vote:

AYES: 089

Abel	Auer	Backer	Barry 100	Berkowitz
Blunt	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hampton
Harlan	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 053

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Boatright	Champion	Chrismer
Cierpiot	Crawford	Dolan	Elliott	Enz
Foster	Froelker	Gaskill	Gibbons	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Kasten	Kelley 47	King	Legan	Luetkemeyer
Marble	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Pouche 30	Pryor
Purgason	Reinhart	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Shields
Tudor	Vogel	Wright		

PRESENT: 013

Black	Evans	Gross	Howerton	Klindt
Levin	Linton	Lograsso	Long	Loudon
Patek	Reid	Summers		

ABSENT WITH LEAVE: 006

Berkstresser	Graham 106	Holand	McClelland	Secrest
Stokan				

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

HB 1396, relating to governing bodies of public universities, was taken up by Representative Farnen.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 004

Berkstresser	Gaskill	Secrest	Stokan
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VACANCIES: 002

Representative Reid requested a verification of the roll call on the previous question.

On motion of Representative Farnen, **HB 1396** was read the third time and passed by the following vote:

AYES: 125

Abel	Auer	Backer	Barnett	Barry 100
Bartle	Bennett	Berkowitz	Black	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Cierpiot	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Liese
Luetkemeyer	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Pouche 30
Ransdall	Reinhart	Relford	Reynolds	Richardson
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 030

Akin	Alter	Ballard	Bartelsmeyer	Blunt
Boatright	Chrismer	Crawford	Elliott	Foster
Gross	Hendrickson	Hohulin	Kelley 47	Levin
Linton	Long	Loudon	Marble	Murphy
Naeger	Patek	Phillips	Pryor	Purgason
Reid	Ridgeway	Schwab	Scott	Wright

PRESENT: 001

Lograsso

ABSENT WITH LEAVE: 005

Berkstresser	Dolan	Kasten	Secrest	Stokan
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VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Hilgemann moved that the vote by which the bill passed be reconsidered.

Representative Kissell moved that motion lay on the table.

The latter motion prevailed.

HB 1097, relating to trespass, was taken up by Representative Hosmer.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boykins	Bray 84	Britt	Campbell
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Farnen	Fitzwater	Foley
Franklin	Fraser	Gambaro	George	Graham 24
Gratz	Green	Gunn	Hagan-Harrell	Hampton
Harlan	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 071

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Murphy	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Shields
Summers	Surface	Townley	Tudor	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkstresser	Boucher 48	Ford	Graham 106	Linton
Scott	Secrest	Stokan		

VACANCIES: 002

Representative Reid requested a verification of the roll call on the previous question.

On motion of Representative Hosmer, **HB 1097** was read the third time and passed by the following vote:

AYES: 138

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Black	Blunt	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Enz	Evans	Farnen
Fitzwater	Foley	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer

Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Lakin
Lawson	Leake	Liese	Long	Loudon
Luetkemeyer	Luetkenhaus	May 108	Mays 50	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 012

Bartelsmeyer	Boatright	Elliott	Hohulin	Howerton
Legan	Levin	Lograsso	Marble	Phillips
Ridgeway	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Berkstresser	Ford	Kreider	Linton	McBride
Patek	Richardson	Scott	Secrest	Stokan
Vogel				

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Campbell moved that motion lay on the table.

The latter motion prevailed.

Representative Reid requested a verification of the roll call on Third Reading and Final Passage of **HB 1097**.

Representative Crump moved that Rule 92 be suspended until 3:00 a.m., Thursday, March 30, 2000.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122

Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Merideth	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 004

Berkstresser	Linton	Secrest	Stokan
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VACANCIES: 002

Representative Scott requested a verification of the roll call on the motion to suspend Rule 92 until 3:00 a.m., Thursday, March 30, 2000.

The motion to suspend Rule 92 until 3:00 a.m., Thursday, March 30, 2000, was withdrawn.

HB 1289, relating to law enforcement accident reports, was taken up by Representative Auer.

On motion of Representative Auer, **HB 1289** was read the third time and passed by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106

Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Hohulin	Murphy	Ridgeway
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PRESENT: 002

Lograsso	Myers
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ABSENT WITH LEAVE: 005

Berkstresser	Linton	Long	Secrest	Stokan
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VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Franklin moved that motion lay on the table.

The latter motion prevailed.

HB 1335, relating to campus police officers, was taken up by Representative Scheve.

HB 1335 was stricken from the calendar.

HB 1848, relating to examinations of physicians and surgeons, was taken up by Representative Treadway.

On motion of Representative Treadway, **HB 1848** was read the third time and passed by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Hohulin	Murphy	Ridgeway
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PRESENT: 001

Lograsso

ABSENT WITH LEAVE: 007

Berkstresser	Blunt	Froelker	Linton	Long
Secrest	Stokan			

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Curls, title to the bill was agreed to.

Representative Gambaro moved that the vote by which the bill passed be reconsidered.

Representative George moved that motion lay on the table.

The latter motion prevailed.

HB 1923, relating to Missouri National Guard, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HB 1923** was read the third time and passed by the

following vote:

AYES: 154

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambara	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 002

Lograsso Patek

ABSENT WITH LEAVE: 005

Berkstresser Linton Long Secrest Stokan

VACANCIES: 002

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Abel	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn

Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 005

Akin	Hendrickson	Hohulin	Lograsso	Murphy
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PRESENT: 002

Hanaway	Purgason
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ABSENT WITH LEAVE: 006

Berkstresser	Holand	Linton	Long	Secrest
Stokan				

VACANCIES: 002

On motion of Representative Lawson, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative Parker moved that motion lay on the table.

The latter motion prevailed.

HB 1875, relating to state auditor, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 1875** was read the third time and passed by the following vote:

AYES: 103

Abel	Auer	Backer	Barnett	Barry 100
Berkowitz	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Champion	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Gambaro	George	Graham 106	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 124	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Legan	Liese	Luetkenhaus	Marble

May 108	Mays 50	McBride	McKenna	McLuckie
Monaco	Murray	Myers	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Richardson
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Selby	Shelton	Shields
Skaggs	Smith	Summers	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 049

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Black	Blunt	Boatright	Chrismer	Cierpiot
Elliott	Enz	Evans	Gaskill	Griesheimer
Gross	Hanaway	Hartzler 123	Hendrickson	Hohulin
Howerton	Kasten	Kelley 47	King	Klindt
Levin	Loudon	Luetkemeyer	McClelland	Merideth
Miller	Murphy	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reid	Reinhart	Reynolds	Ridgeway	Robirds
Scott	Seigfreid	Surface	Wright	

PRESENT: 001

Lograsso

ABSENT WITH LEAVE: 008

Bennett	Berkstresser	Froelker	Gibbons	Linton
Long	Secrest	Stokan		

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative McKenna, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Wagner moved that motion lay on the table.

The latter motion prevailed.

Representative Foley assumed the Chair.

HB 1802, relating to mortgage insurance, was taken up by Representative Monaco.

On motion of Representative Monaco, **HB 1802** was read the third time and passed by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Days	Dolan	Dougherty	Elliott	Enz

Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Ridgeway

PRESENT: 001

Lograsso

ABSENT WITH LEAVE: 007

Berkstresser	Davis 63	Froelker	Linton	Long
Secrest	Stokan			

VACANCIES: 002

Representative Foley declared the bill passed.

On motion of Representative Scheve, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Riback Wilson (25) moved that motion lay on the table.

The latter motion prevailed.

HB 1544, relating to not-for-profit corporations, was taken up by Representative Smith.

On motion of Representative Smith, **HB 1544** was read the third time and passed by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle

Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boykins	Bray 84	Britt	Campbell
Champion	Chrimer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Green

PRESENT: 001

Lograsso

ABSENT WITH LEAVE: 009

Berkstresser	Boucher 48	Burton	Froelker	Linton
Long	Scott	Secrest	Stokan	

VACANCIES: 002

Representative Foley declared the bill passed.

On motion of Representative Williams (121), title to the bill was agreed to.

Representative Hickey moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

HB 1591, relating to nursing home administrators, was taken up by Representative Backer.

On motion of Representative Backer, **HB 1591** was read the third time and passed by the following vote:

AYES: 147

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Ridgeway

PRESENT: 005

Ballard	Lograsso	Loudon	Myers	Naeger
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ABSENT WITH LEAVE: 008

Berkstresser	Froelker	Linton	Long	Scott
Secrest	Stokan	Surface		

VACANCIES: 002

Representative Foley declared the bill passed.

On motion of Representative Clayton, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Parker moved that motion lay on the table.

The latter motion prevailed.

HB 1739, relating to life insurance, was taken up by Representative Auer.

On motion of Representative Auer, **HB 1739** was read the third time and passed by the

following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 004

Cierpiot	Lograsso	Loudon	Ridgeway
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ABSENT WITH LEAVE: 007

Berkstresser	Froelker	Linton	Long	Secrest
Stokan	Surface			

VACANCIES: 002

Representative Foley declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Selby moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

Representative Green moved that Rule 95 be suspended.

Which motion was defeated by the following vote:

AYES: 080

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Britt	Burton
Campbell	Clayton	Crump	Curls	Davis 63
Days	Farnen	Foley	Ford	Fraser
Gambaro	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gunn	Hampton
Harlan	Hegeman	Hilgemann	Holand	Hollingsworth
Hosmer	Howerton	Kasten	Kelly 27	Kennedy
Kissell	Klindt	Koller	Lakin	Leake
Luetkenhaus	May 108	Mays 50	McBride	McLuckie
Monaco	Murray	Nordwald	O'Connor	O'Toole
Overschmidt	Parker	Patek	Ransdall	Relford
Rizzo	Scheve	Schilling	Scott	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 066

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Bray 84	Champion	Chrismer	Cierpiot	Crawford
Davis 122	Elliott	Enz	Evans	Fitzwater
Foster	Franklin	Gaskill	Gross	Hanaway
Hartzler 123	Hartzler 124	Hendrickson	Hickey	Hohulin
Kelley 47	King	Kreider	Levin	Liese
Lograsso	Loudon	Luetkemeyer	Marble	McClelland
Merideth	Miller	Murphy	Myers	Naeger
Ostmann	Phillips	Pouche 30	Pryor	Purgason
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Riley	Robirds	Ross	Sallee	Schwab
Shields	Summers	Townley	Tudor	Vogel
Wright				

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 014

Berkstresser	Dolan	Froelker	Hagan-Harrell	Hoppe
Lawson	Legan	Linton	Long	McKenna
Secrest	Stokan	Surface	Troupe	

VACANCIES: 002

HB 1486, relating to community colleges, was taken up by Representative Abel.

On motion of Representative Abel, **HB 1486** was read the third time and passed by the following vote:

AYES: 130

Abel	Auer	Backer	Barnett	Barry 100
Bartelsmeyer	Bartle	Bennett	Berkowitz	Black
Blunt	Boatright	Bonner	Boucher 48	Boykins
Bray 84	Britt	Burton	Campbell	Champion
Chrismer	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz

Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Phillips	Pouche 30	Pryor	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Ross	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Summers
Thompson	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 010

Alter	Ballard	Elliott	Evans	Hegeman
Hendrickson	Murphy	Nordwald	Robirds	Townley

PRESENT: 013

Akin	Cierpiot	Kasten	Lograsso	Loudon
Luetkemeyer	Marble	Patek	Purgason	Ridgeway
Schwab	Scott	Shields		

ABSENT WITH LEAVE: 008

Berkstresser	Froelker	Linton	Long	Sallee
Secrest	Stokan	Surface		

VACANCIES: 002

Representative Foley declared the bill passed.

On motion of Representative Graham (24), title to the bill was agreed to.

Representative Kennedy moved that the vote by which the bill passed be reconsidered.

Representative Britt moved that motion lay on the table.

The latter motion prevailed.

Representative Farnen assumed the Chair.

HB 1509, relating to unlawful merchandising practices, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1509** was read the third time and passed by the following vote:

AYES: 128

Abel	Akin	Auer	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz

Black	Blunt	Bonner	Boucher 48	Boykins
Bray 84	Britt	Burton	Campbell	Chrismer
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Levin	Liese
Luetkemeyer	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Pryor	Ransdall
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Ross	Scheve	Schilling	Scott
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 011

Boatright	Elliott	Hohulin	Howerton	Nordwald
Phillips	Pouche 30	Purgason	Reid	Ridgeway
Robirds				

PRESENT: 013

Alter	Ballard	Champion	Cierpiot	Hegeman
Legan	Lograsso	Loudon	Marble	Myers
Naeger	Patek	Schwab		

ABSENT WITH LEAVE: 009

Berkstresser	Froelker	Kasten	Linton	Long
Sallee	Secrest	Stokan	Surface	

VACANCIES: 002

Representative Farnen declared the bill passed.

On motion of Representative Reynolds, title to the bill was agreed to.

Representative Williams (159) moved that the vote by which the bill passed be reconsidered.

Representative Wilson (42) moved that motion lay on the table.

The latter motion prevailed.

HB 1374, relating to funding for domestic violence shelters, was taken up by Representative Graham (24).

On motion of Representative Graham (24), **HB 1374** was read the third time and passed by the following vote:

AYES: 146

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Levin	Liese	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Thompson	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Murphy	Nordwald	Townley
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PRESENT: 002

Hegeman	Naeger
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ABSENT WITH LEAVE: 010

Berkstresser	Champion	Froelker	Legan	Linton
Lograsso	Long	Secrest	Stokan	Surface

VACANCIES: 002

Representative Farnen declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Dougherty moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

HB 1465, relating to motor vehicle driver's license, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HB 1465** was read the third time and passed by the

following vote:

AYES: 133

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Chrismer	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Enz	Evans	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Griesheimer	Gross	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Leake	Legan	Levin	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Parker	Phillips	Pryor	Ransdall	Reid
Reinhart	Relford	Richardson	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Thompson	Townley
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 013

Cierpiot	Green	Gunn	Hendrickson	Hohulin
Kelly 27	Liese	O'Toole	Pouche 30	Purgason
Reynolds	Ridgeway	Treadway		

PRESENT: 003

Dolan	Patek	Riley
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ABSENT WITH LEAVE: 012

Berkstresser	Champion	Elliott	Farnen	Froelker
Lawson	Linton	Lograsso	Long	Secrest
Stokan	Surface			

VACANCIES: 002

Representative Farnen declared the bill passed.

On motion of Representative O'Connor, title to the bill was agreed to.

Representative Luetkenhaus moved that the vote by which the bill passed be reconsidered.

Representative Mays (50) moved that motion lay on the table.

The latter motion prevailed.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 30, introduced by Representative Barry, relating to endorsing the Centers for Disease Control and Prevention (CDC) and the American Academy of Pediatrics (AAP) recommendations and urging each health care professional and managed care plan operating in Missouri to adopt the recommendations in their practice and formularies.

HCR 31, introduced by Representatives Hollingsworth, Levin, Ross and Van Zandt, et al, directing the Missouri Department of Revenue to study and determine the amounts and sources of contributions by each county and the city of St. Louis to the state road fund and to present a report concerning the general assembly to enable the general assembly to make informed policy decisions in the area of transportation budgeting and spending for the benefit of the citizens of this state.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2145, introduced by Representatives Barry and Scheve, relating to health assessments for students.

HB 2146, introduced by Representative Linton, relating to promotion of children's reading skills.

HB 2147, introduced by Representative Shields, relating to opportunity scholarships for students in unaccredited or academically deficient schools.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 504 - Miscellaneous Bills and Resolutions

HR 550 - Miscellaneous Bills and Resolutions

HR 557 - Miscellaneous Bills and Resolutions

HR 573 - Miscellaneous Bills and Resolutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 642 - Retirement

SB 727 - Local Government and Related Matters

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1997**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 2102**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Urban Affairs, Chairman Van Zandt reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 1846**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 2114**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 771**, entitled:

An act to amend chapter 415, RSMo, relating to self-service storage facilities by adding thereto one new section relating to late fees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 813**, entitled:

An act to repeal section 85.011, RSMo 1994, and section 590.135, RSMo Supp. 1999, relating to discipline of law enforcement officers, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 30, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Forty-fourth Day, Tuesday, March 28, 2000, page 690, line 32, by inserting immediately after said line the following:

SB 877 - Education - Elementary and Secondary

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, April 4, 2000, 8:30 am. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1113

BUDGET

Thursday, March 30, 2000, 8:30 am. Hearing Room 3.

Executive Session. CANCELLED.

To be considered - HB 1120

CONSUMER PROTECTION AND HOUSING

Tuesday, April 4, 2000, 8:00 pm. Hearing Room 1.

Possible Executive Session to follow.

To be considered - HB 2057, SB 643

CRITICAL ISSUES

Monday, April 3, 2000, 7:30 pm. Hearing Room 3.

To be considered - SB 576, SB 856

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, March 30, 2000, 9:00 am. Hearing Room 4.

Executive Session.

To be considered - HB 1860, HB 1958

EDUCATION - ELEMENTARY AND SECONDARY

Monday, April 3, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1999, SB 573

EDUCATION - HIGHER

Thursday, March 30, 2000. Side gallery upon adjournment.

To be considered - Executive Session - HB 1888, Executive Session - HB 2044,

Executive Session - HB 2062

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 4, 2000. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - SB 542, SB 719, SB 893, SB 915

MISSOURI TOBACCO SETTLEMENT

Thursday, March 30, 2000, 8:30 am. Hearing Room 1.

To be considered - Executive Session - SB 549

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, April 3, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - SB 596, SB 724

UTILITIES REGULATION

Thursday, March 30, 2000, 8:30 am. Hearing Room 6.

To be considered - HB 1778, HB 1842, HB 1895

HOUSE CALENDAR

FORTY-SIXTH DAY, THURSDAY, MARCH 30, 2000

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 30 and HCR 31

HOUSE BILLS FOR SECOND READING

HB 2145 through HB 2147

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1434 - Skaggs
- 2 HCS HB 1305 - Rizzo
- 3 HCS HB 1574 & 1640 - Britt
- 4 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 5 HCS HB 1652 & 1433 - Hoppe
- 6 HB 1603, HCA 1 and HCA 2 - O'Connor
- 7 HCS HB 1711 - Abel
- 8 HCS HB 1797 - Gratz
- 9 HCS HB 1569 - Bray
- 10 HCS HB 1932 - Harlan
- 11 HCS HB 1967 - Hoppe
- 12 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HB 1472 - Smith

HOUSE BILLS FOR PERFECTION - CONSENT

(March 27, 2000)

- 1 HB 1597 - Auer
- 2 HB 1284 - Kissell
- 3 HB 1659 - Summers
- 4 HB 1340 - Klindt
- 5 HB 1828 - Gross
- 6 HB 1095 - Richardson
- 7 HB 1358 - Loudon
- 8 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING

- 1 HS HB 1615, E.C. (Fiscal Review, 3-29-00) - Hosmer
- 2 HS HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1706 - Gambaro
- 2 HB 1428 - Hickey
- 3 HB 1454 - Hoppe
- 4 HB 1604 - Graham (106)
- 5 HB 1568 - Riback Wilson (25)
- 6 HB 1596 - Auer
- 7 HB 1685 - Smith
- 8 HB 1948 - Gratz
- 9 HB 1825 - Klindt
- 10 HB 1077 - Relford
- 11 HB 1808 - O'Toole
- 12 HB 1499 - Hoppe
- 13 HB 1647 - Skaggs
- 14 HB 1631 - Hoppe
- 15 HB 1841 - Kreider
- 16 HB 1579 - Hoppe

SENATE BILLS FOR SECOND READING

- 1 SB 760
- 2 SB 771
- 3 SS SB 813
- 4 SB 1018
- 5 SB 1020

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6 SB 1042

7 SB 1050

8 SB 1051

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FORTY-SIXTH DAY, THURSDAY, MARCH 30, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, Your gifts are sufficient for all, and Your strength is freely given to those who need strength. Bless the men and women of the House and those who work to support them. Protect them from self-serving goals, and confirm them in their best inclinations. Let their words and their actions be pleasing in Your sight. To You be glory and power forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joseph Capriano, Jaclyn Kline, Tom Miller, Dan Brinkmann, Jessica Dothage, Jessie Haar, Joanna Wende, Lacey Mammen, Jay Dalton, Brian Black, Dana Bellamy, Mathew Hoosier, Stephanie Hoosier, Chaprisse Jones, Dante Zimmerman, Samantha Lacey, Matthew Davis, Ray Weaver, Grant St. Cin, Terry Hall, Julie Hendershot, Molly Meyer and Grant Meyer.

The Journal of the forty-fifth day was approved as corrected by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Bennett
Berkowitz	Bonner	Boucher 48	Boykins	Bray 84
Britt	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson

Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 003

Berkstresser Hoppe Stokan

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 759 - Representative Barry
House Resolution No. 760
and
House Resolution No. 761 - Representative McClelland
House Resolution No. 762 - Representatives Dougherty and Kennedy
House Resolution No. 763 - Representative Hosmer
House Resolution No. 764
through
House Resolution No. 767 - Representative Riley
House Resolution No. 768 - Representative Gibbons
House Resolution No. 769 - Representative Williams (121)
House Resolution No. 770 - Representative Smith
House Resolution No. 771 - Representatives Seigfreid and Gaw
House Resolution No. 772
through
House Resolution No. 777 - Representative Troupe
House Resolution No. 778 - Representative Gaw
House Resolution No. 779 - Representative Boucher
House Resolution No. 780 - Representatives Legan and Shields
House Resolution No. 781 - Representative Legan
House Resolution No. 782 - Representative Farnen

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 30 and **HCR 31** were read the second time.

SECOND READING OF HOUSE BILLS

HB 2145 through **HB 2147** were read the second time.

SECOND READING OF SENATE BILLS

SB 760, SB 771, SS SB 813, SB 1018, SB 1020, SB 1042, SB 1050 and SB 1051 were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1238, HS HCS HB 1242 and HS HCS HB 1481**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILL

HS HCS HBs 1172, 1501, 1633, 1440, 1634, 1177 & 1430, relating to telecommunications merchandising, was taken up by Representative Davis (122).

On motion of Representative Davis (122), **HS HCS HBs 1172, 1501, 1633, 1440, 1634, 1177 & 1430** was read the third time and passed by the following vote:

AYES: 156

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hosmer
Howerton	Kasten	Kelley 47	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 004

Berkstresser Hoppe Kelly 27 Stokan

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Ransdall, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Thompson moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1706, relating to Brownfield Remediation Program, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **HB 1706** was read the third time and passed by the following vote:

AYES: 155

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hosmer
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields

Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Hoppe	Howerton	Lograsso	Pryor
Stokan				

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative McKenna, title to the bill was agreed to.

Representative Kissell moved that the vote by which the bill passed be reconsidered.

Representative Hickey moved that motion lay on the table.

The latter motion prevailed.

HB 1428, relating to memorial for injured or killed workers, was taken up by Representative Hickey.

On motion of Representative Hickey, **HB 1428** was read the third time and passed by the following vote:

AYES: 141

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliot	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Patek	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Treadway	Troupe	Tudor

Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 014

Ballard	Boatright	Hartzler 123	Hohulin	Kasten
King	Legan	Luetkemeyer	Myers	Phillips
Pouche 30	Purgason	Robirds	Townley	

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Franklin	Hoppe	Parker	Pryor
Stokan				

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative George moved that motion lay on the table.

The latter motion prevailed.

HB 1604, relating to land conveyance, was taken up by Representative Graham (106).

On motion of Representative Graham (106), **HB 1604** was read the third time and passed by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hosmer	Howerton	Kasten
Kelley 47	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo

Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Curls

PRESENT: 001

Graham 24

ABSENT WITH LEAVE: 007

Berkstresser	Hoppe	Kelly 27	Linton	Nordwald
Pryor	Stokan			

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Britt moved that motion lay on the table.

The latter motion prevailed.

HB 1568, relating to blood tests for pregnant women, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **HB 1568** was read the third time and passed by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna

McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 001

Reid

ABSENT WITH LEAVE: 007

Berkstresser	Gunn	Hoppe	Lograsso	Nordwald
Pryor	Stokan			

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fraser moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

HB 1596, relating to insurance, was taken up by Representative Auer.

On motion of Representative Auer, **HB 1596** was read the third time and passed by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King

Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Berkstresser	Gunn	Hoppe	Lograsso	Parker
Pryor	Ridgeway	Stokan	Troupe	

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Barry, title to the bill was agreed to.

Representative Hickey moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

HB 1685, relating to shampoo assistants, was taken up by Representative Smith.

Representative Smith moved that **HB 1685** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 078

Akin	Backer	Barnett	Barry 100	Bennett
Boatright	Bonner	Boykins	Britt	Champion
Clayton	Crump	Curls	Davis 122	Days
Dougherty	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Gambaro	Graham 106	Gratz
Hagan-Harrell	Hampton	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Hosmer	Howerton	Kennedy
Kissell	Klindt	Koller	Kreider	Lakin
Leake	Loudon	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	Merideth	Monaco
Murray	Myers	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Surface	Thompson	Treadway

Tudor	Van Zandt	Vogel	Ward	Wiggins
Williams 121	Wilson 42	Mr. Speaker		

NOES: 068

Abel	Alter	Ballard	Bartelsmeyer	Bartle
Berkowitz	Black	Blunt	Boucher 48	Bray 84
Burton	Campbell	Cierpiot	Crawford	Davis 63
Dolan	Elliott	Enz	Evans	Fraser
Gaskill	George	Gibbons	Graham 24	Green
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hendrickson	Hohulin	Kasten	Kelley 47	Kelly 27
King	Legan	Levin	Liese	Lograsso
Long	Luetkemeyer	Marble	McLuckie	Murphy
Naeger	Ostmann	Patek	Phillips	Pouche 30
Purgason	Reid	Reinhart	Reynolds	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Secrest	Shields	Summers	Townley	Wagner
Williams 159	Wilson 25	Wright		

PRESENT: 004

Auer	Froelker	Linton	Miller
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ABSENT WITH LEAVE: 011

Berkstresser	Chrismer	Gunn	Harlan	Hoppe
Lawson	Nordwald	Pryor	Scott	Stokan
Troupe				

VACANCIES: 002

HB 1948, relating to special mobile equipment, was taken up by Representative Gratz.

On motion of Representative Gratz, **HB 1948** was read the third time and passed by the following vote:

AYES: 148

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs

Smith	Summers	Surface	Thompson	Townley
Treadway	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Barry 100	Hohulin	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 010

Berkstresser	Gross	Gunn	Hoppe	Lawson
Nordwald	Phillips	Pryor	Stokan	Troupe

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative O'Connor, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Ward moved that motion lay on the table.

The latter motion prevailed.

HB 1825, relating to state emblem, was taken up by Representative Klindt.

Representative Klindt offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Bill No. 1825, Page 1, Section 10.043, Line 1, by inserting immediately after the word “mixed” the word “**superactive**”.

Representative Richardson raised a point of order that **House Perfecting Amendment No. 1** is not a true perfecting amendment.

The Chair ruled the point of order not well taken.

Representative Klindt moved that **House Perfecting Amendment No. 1** be adopted.

Which motion was defeated.

Representative Scheve assumed the Chair.

HB 1825 was placed on the Informal Calendar.

HB 1077, relating to city planning and zoning, was taken up by Representative Relford.

On motion of Representative Relford, **HB 1077** was read the third time and passed by the following vote:

AYES: 144

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Townley	Treadway	Tudor	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Ballard	Berkstresser	Days	Franklin	Graham 24
Gunn	Hoppe	Murphy	Nordwald	Pryor
Robirds	Secrest	Stokan	Surface	Thompson
Troupe	Vogel			

VACANCIES: 002

Representative Scheve declared the bill passed.

On motion of Representative Rizzo, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

HB 1808, relating to St. Louis firemen's retirement, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HB 1808** was read the third time and passed by the following vote:

AYES: 140

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	O'Connor	O'Toole	Patek	Pouche 30
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Shelton	Shields	Skaggs	Smith
Summers	Thompson	Townley	Treadway	Tudor
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Berkstresser	Days	Franklin	Graham 24	Gunn
Hoppe	Lograsso	Nordwald	Ostmann	Overschmidt
Parker	Phillips	Pryor	Purgason	Robirds
Ross	Selby	Stokan	Surface	Troupe
Vogel				

VACANCIES: 002

Representative Scheve declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

HB 1647, relating to third class cities, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HB 1647** was read the third time and passed by the following vote:

AYES: 108

Abel	Auer	Backer	Barnett	Barry 100
Bartelsmeyer	Bennett	Berkowitz	Black	Bonner
Boucher 48	Boykins	Britt	Burton	Campbell
Champion	Chrismer	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Enz
Farnen	Fitzwater	Foley	Ford	Fraser
Gambaro	George	Graham 106	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hegeman	Hendrickson	Hickey
Hilgemann	Hollingsworth	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	Kissell	Klindt	Kreider
Lakin	Lawson	Leake	Levin	Liese
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Ransdall
Reinhart	Relford	Reynolds	Ridgeway	Riley
Rizzo	Ross	Scheve	Schilling	Schwab
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Thompson	Treadway	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 028

Akin	Alter	Ballard	Bartle	Blunt
Boatright	Elliott	Evans	Foster	Gibbons
Hartzler 124	Hohulin	Holand	King	Legan
Linton	Lograsso	Long	Loudon	Luetkemeyer
Murphy	Purgason	Reid	Richardson	Scott
Secrest	Townley	Tudor		

PRESENT: 004

Froelker	Kasten	Pouche 30	Summers
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ABSENT WITH LEAVE: 021

Berkstresser	Bray 84	Cierpiot	Days	Dougherty
Franklin	Gaskill	Graham 24	Gunn	Hoppe
Koller	Luetkenhaus	Nordwald	Parker	Pryor
Robirds	Sallee	Stokan	Surface	Troupe
Vogel				

VACANCIES: 002

Representative Scheve declared the bill passed.

On motion of Representative Berkowitz, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Gambaro moved that motion lay on the table.

The latter motion prevailed.

HB 1841, relating to noxious weeds, was taken up by Representative Kreider.

Representative Kreider moved that **HB 1841** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 074

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Dougherty	Farnen	Fitzwater	Foley
Fraser	Gambaro	George	Gratz	Green
Hagan-Harrell	Hampton	Hilgemann	Holand	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Kreider
Lakin	Lawson	Leake	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Reid	Relford	Reynolds
Riley	Rizzo	Scheve	Seigfreid	Selby
Shelton	Skaggs	Smith	Townley	Treadway
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 020

Ballard	Boatright	Cierpiot	Enz	Griesheimer
Gross	Hartzler 123	Hendrickson	Hohulin	Kelley 47
Lograsso	Marble	Miller	Phillips	Reinhart
Ridgeway	Ross	Schilling	Scott	Shields

PRESENT: 046

Akin	Alter	Barnett	Bartelsmeyer	Bartle
Bennett	Black	Blunt	Burton	Champion
Chrismer	Crawford	Dolan	Elliott	Evans
Foster	Froelker	Gaskill	Gibbons	Hanaway
Hartzler 124	Hegeman	Howerton	Kasten	King
Klindt	Legan	Levin	Linton	Long
Loudon	Luetkemeyer	McClelland	Murphy	Myers
Naeger	Ostmann	Patek	Pouche 30	Purgason
Richardson	Schwab	Secrest	Summers	Tudor
Wright				

ABSENT WITH LEAVE: 021

Berkstresser	Days	Ford	Franklin	Graham 106
Graham 24	Gunn	Harlan	Hickey	Hoppe
Koller	Liese	Nordwald	Pryor	Robirds
Sallee	Stokan	Surface	Thompson	Troupe
Vogel				

VACANCIES: 002

Representative Leake requested verification of the roll call on the Third Reading and Final Passage of **HB 1841**.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 1481 - Fiscal Review (Fiscal Note)
HB 2101 - Transportation
HB 2103 - Criminal Law
HB 2104 - Ways and Means
HB 2105 - Agri-Business
HB 2106 - Motor Vehicle and Traffic Regulations
HB 2107 - Public Safety and Law Enforcement
HB 2108 - Judiciary
HB 2111 - Utilities Regulation
HB 2112 - Education - Higher
HB 2113 - Retirement
HB 2115 - Critical Issues
HB 2116 - Education - Higher
HB 2117 - Local Government and Related Matters
HB 2118 - Education - Elementary and Secondary
HB 2119 - Education - Higher
HB 2120 - Local Government and Related Matters
HB 2122 - Criminal Law
HB 2123 - Public Safety and Law Enforcement
HB 2124 - Ways and Means
HB 2125 - Public Health
HB 2126 - Civil and Administrative Law
HB 2127 - Criminal Law
HB 2128 - Social Services, Medicaid and the Elderly
HB 2130 - Judiciary
HB 2131 - Criminal Law
HB 2132 - Transportation
HB 2133 - Municipal Corporations
HB 2134 - Children, Youth and Families
HB 2135 - Labor
HB 2136 - Environment and Energy
HB 2137 - Children, Youth and Families
HB 2138 - Workers Compensation and Employment Security
HB 2139 - Workers Compensation and Employment Security
HB 2140 - Workers Compensation and Employment Security
HB 2141 - Ways and Means
HB 2142 - Ways and Means
HB 2143 - Transportation
HB 2144 - Critical Issues

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 703 - Governmental Organization and Review
SCS SB 754 - Education - Elementary and Secondary
SCS SB 806 - Public Safety and Law Enforcement
SCS SB 1013 - Retirement
SCS SB 1015 - Retirement
SB 1018 - Correctional and State Institutions
SB 1020 - Transportation
SCS SB 1036 - Correctional and State Institutions
SB 1037 - Commerce
SB 1042 - Ways and Means
SB 1050 - Local Government and Related Matters

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 2148, introduced by Representative Merideth, relating to the office of deaf education.

COMMITTEE REPORTS

Committee on Consumer Protection and Housing, Chairman Schilling reporting:

Mr. Speaker: Your Committee on Consumer Protection and Housing, to which was referred **HB 1464**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Missouri Tobacco Settlement, Chairman Van Zandt reporting:

Mr. Speaker: Your Committee on Missouri Tobacco Settlement, to which was referred **SS SB 549**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1049**, entitled:

An act to repeal sections 247.031 and 393.130, RSMo 1994, relating to charges for water service, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, April 3, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-fifth Day, Wednesday, March 29, 2000, Page 705, Line 5, by inserting immediately after said line the following:

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HB 1615 - Fiscal Review - (Fiscal Note)

Page 730, lines 40 and 41, by deleting all of said lines and inserting in lieu thereof the following:

Representative Scott requested a verification of the roll call on the previous question.

Pages 701 and 702, roll call, by showing Representative Bartelsmeyer voting "aye" rather than "absent with leave".

Pages 701 and 702, roll call, by showing Representative Naeger voting "no" rather than "absent with leave".

Page 703, roll call, by showing Representative Kelly (27) voting "no" rather than "absent with leave".

Page 707, roll call, by showing Representative Black voting "no" rather than "absent with leave".

Page 708, roll call, by showing Representatives Crawford, Kasten and Patek voting "aye" rather than "absent with leave".

Page 727, roll call, by showing Representative Kasten voting "aye" rather than "absent with leave".

Pages 728 and 729, roll call, by showing Representative Patek voting "aye" rather than "absent with leave".

Page 732, roll call, by showing Representative Blunt voting "aye" rather than "absent with leave".

Pages 735 and 736, roll call, by showing Representative Davis (63) voting "aye" rather than "absent with leave".

Page 738, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Page 739, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Page 743, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Page 744, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, April 3, 2000, 3:00 pm. Hearing Room 5.
Executive Session may follow.
To be considered - SB 779

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, April 4, 2000, 8:30 am. Hearing Room 7.
Executive Session may follow.
To be considered - HB 1113

BUDGET

Monday, April 3, 2000, 2:00 pm. Hearing Room 3.
Executive Session. To be considered - HB 1120

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 5, 2000. Hearing Room 1 upon morning adjournment.
To be considered - SB 557, SB 722, SB 836, SB 858, SB 914, SB 942

CONSUMER PROTECTION AND HOUSING

Tuesday, April 4, 2000, 8:00 pm. Hearing Room 1.
Possible Executive Session to follow.
To be considered - HB 2057, SB 643

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, April 4, 2000, 8:00 pm. Hearing Room 7.
Executive Session may follow.
To be considered - SB 555, SB 618, SB 789, SB 985

CRIMINAL LAW

Wednesday, April 5, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1528, HB 1658, HB 1851, HB 1920, HB 2010, SB 996

CRITICAL ISSUES

Monday, April 3, 2000, 7:30 pm. Hearing Room 3.

To be considered - SB 576, SB 856

EDUCATION - ELEMENTARY AND SECONDARY

Monday, April 3, 2000, 3:00 pm. Hearing Room 1.

To be considered - HB 1999, SB 573

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 4, 2000. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - SB 542, SB 719, SB 893, SB 915

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 4, 2000, 9:00 am. Hearing Room 1.

To be considered - SB 765, SB 907

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 5, 2000, 6:30 pm. Hearing Room 5.

To be considered - HB 2079, SB 663, SB 883, SB 921

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, April 4, 2000, 9:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 2009, SB 537, SB 769

RETIREMENT

Wednesday, April 5, 2000, 8:00 pm. Hearing Room 1.

Executive Session follows.

To be considered - HB 2090, SB 616, SB 642, SB 821, SB 922, SB 975

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 4, 2000, 7:30 pm. Hearing Room 6.

Presentation on Medicaid spend down.

Possible Executive Session to follow.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, April 3, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - SB 596, SB 724

WAYS AND MEANS

Tuesday, April 4, 2000. Hearing Room 6 upon morning adjournment.

To be considered - HB 1316, HB 1829, HB 2063, HCR 11

HOUSE CALENDAR

FORTY-SEVENTH DAY, MONDAY, APRIL 3, 2000

HOUSE BILL FOR SECOND READING

HB 2148

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1434 - Skaggs
- 2 HCS HB 1305 - Rizzo
- 3 HCS HB 1574 & 1640 - Britt
- 4 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 5 HCS HB 1652 & 1433 - Hoppe
- 6 HB 1603, HCA 1 and HCA 2 - O'Connor
- 7 HCS HB 1711 - Abel
- 8 HCS HB 1797 - Gratz
- 9 HCS HB 1569 - Bray
- 10 HCS HB 1932 - Harlan
- 11 HCS HB 1967 - Hoppe
- 12 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HB 1472 - Smith

HOUSE BILLS FOR PERFECTION - CONSENT

(March 27, 2000)

- 1 HB 1597 - Auer
- 2 HB 1284 - Kissell
- 3 HB 1659 - Summers
- 4 HB 1340 - Klindt
- 5 HB 1828 - Gross

- 6 HB 1095 - Richardson
- 7 HB 1358 - Loudon
- 8 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING

- 1 HS HB 1615, E.C. (Fiscal Review, 3-29-00) - Hosmer
- 2 HS HCS HB 1242 - Treadway
- 3 HS HB 1238 - Hoppe
- 4 HS HCS HB 1481, (Fiscal Review, 3-30-00) - Smith

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1454 - Hoppe
- 2 HB 1499 - Hoppe
- 3 HB 1631 - Hoppe
- 4 HB 1579 - Hoppe

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 1825 - Klindt

SENATE BILL FOR SECOND READING

SB 1049

SENATE BILL FOR THIRD READING

HCS SS SB 549, E.C. - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FORTY-SEVENTH DAY, MONDAY, APRIL 3, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Almighty God, You are the Holy one and the just one. Make Your dwelling in this Chamber today. May fellowship with Your spirit continue to open wide the minds and hearts of these Representatives, aligning these men and women with Your good, and giving them the power to live that out - even to bury that spirit deep in the heart of these laws to be passed. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Abigayle Knaebel.

The Journal of the forty-sixth day was approved as corrected by the following vote:

AYES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hosmer	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Myers	Naeger	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason

Reid	Reinhart	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Dolan	Hoppe	Murphy	Nordwald
Stokan				

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 783 - Representative Backer
 House Resolution No. 784 - Representative Richardson
 House Resolution No. 785 - Representative Naeger
 House Resolution No. 786 - Representative Patek
 House Resolution No. 787 - Representative Williams (159)
 House Resolution No. 788 - Representative Gross
 House Resolution No. 789 - Representative Ross
 House Resolution No. 790
 through
 House Resolution No. 803 - Representatives Enz and Murphy
 House Resolution No. 804
 through
 House Resolution No. 817 - Representatives Enz and Hendrickson
 House Resolution No. 818 - Representative Luetkemeyer
 House Resolution No. 819 - Representative Davis (122)
 House Resolution No. 820 - Representative McClelland
 House Resolution No. 821 - Representative Scott
 House Resolution No. 822 - Representative Scott
 House Resolution No. 823 - Representative Van Zandt
 House Resolution No. 824 - Representative Berkowitz
 House Resolution No. 825 - Representative Reynolds, et al
 House Resolution No. 826
 through
 House Resolution No. 829 - Representative Ward
 House Resolution No. 830 - Representative Evans

SECOND READING OF HOUSE BILL

HB 2148 was read the second time.

SECOND READING OF SENATE BILL

SB 1049 was read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1434, relating to amusement rides, was taken up by Representative Skaggs.

Representative Skaggs offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1434, In the Title, Line 2, by deleting the period “.” at the end of said line and inserting in lieu thereof the following: “, with an effective date.”; and

Further amend said bill, Page 4, Section 316.210, Line 25, by inserting after all of said section, the following:

“Section B. Sections 316.203 to 316.210 shall become effective on January 1, 2001.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 1** was adopted.

Representative Skaggs offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1434, Page 2, Section 316.204, Line 2, by striking the word “**seven**” and inserting in lieu thereof the word “**nine**”; and

Further amend said bill and section, Line 3, by striking the word “**six**” and inserting in lieu thereof the word “**eight**”; and

Further amend said bill and section, Line 10, by striking the word “**Two**” and inserting in lieu thereof the word “**Three**”; and

Further amend said bill and section, Line 11, by striking the word “**Two**” and inserting in lieu thereof the word “**Three**”.

On motion of Representative Skaggs, **House Amendment No. 2** was adopted.

Representative Reynolds offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1434, Page 1, Section A, Line 3, by inserting after all of said line the following:

"290.505. [1.] No employer shall employ any of his **or her** employees for a workweek longer than forty hours unless such employee receives compensation for his **or her** employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he **or she** is employed.

[2. Employees of an amusement or recreation business that meets the criteria set out in 29 USC 213(a)(3) must be paid one and one-half times their regular compensation for any hours worked in excess of fifty-two hours in any one-week period.]"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Reynolds moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Clayton	Crump	Curls	Davis 63	Days
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Green	Gunn
Hagan-Harrell	Harlan	Hickey	Hilgemann	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Leake	Levin	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Reid	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Smith	Thompson	Treadway	Troupe
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 081

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Campbell	Champion	Chrismer	Cierpiot
Crawford	Davis 122	Dolan	Elliott	Enz
Evans	Fitzwater	Foster	Froelker	Gaskill
Gibbons	Graham 106	Gratz	Griesheimer	Gross
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Lawson	Legan
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Merideth	Miller	Myers
Naeger	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reinhart	Relford
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Skaggs
Summers	Surface	Townley	Tudor	Van Zandt
Vogel				

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Dougherty	Hoppe	Murphy	Nordwald
Stokan				

VACANCIES: 002

Representative Wright offered **House Amendment No. 4**.

House Amendment No. 4 was withdrawn.

On motion of Representative Skaggs, **HCS HB 1434, as amended**, was adopted.

On motion of Representative Skaggs, **HCS HB 1434, as amended**, was ordered perfected and printed.

RECONSIDERATION

Representative Schilling, having voted on the prevailing side, moved that the vote by which **HB 1841** (Consent) was defeated on Third Reading and Final Passage, be reconsidered.

Which motion was adopted by the following vote:

AYES: 089

Abel	Auer	Backer	Barnett	Barry 100
Berkowitz	Bonner	Boucher 48	Boykins	Bray 84
Britt	Campbell	Champion	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 124	Hickey	Hilgemann	Holand	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Reid
Relford	Reynolds	Riley	Rizzo	Robirds
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 058

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Bennett	Blunt	Boatright	Burton	Chrismer
Cierpiot	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hendrickson
Hohulin	Howerton	Kasten	Kelley 47	King
Linton	Lograsso	Loudon	Luetkemeyer	Marble
McClelland	Myers	Naeger	Ostmann	Phillips
Pouche 30	Pryor	Purgason	Reinhart	Richardson
Ridgeway	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 008

Black	Crawford	Hegeman	Klindt	Levin
Long	Miller	Patek		

ABSENT WITH LEAVE: 006

Berkstresser	Hoppe	Legan	Murphy	Nordwald
Stokan				

VACANCIES: 002

HB 1841, relating to noxious weeds, was taken up by Representative Kreider.

On motion of Representative Kreider, **HB 1841** was read the third time and passed by the following vote:

AYES: 129

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Berkowitz	Black	Blunt	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 124	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Hosmer
Howerton	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Liese	Linton	Long
Loudon	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Pryor	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Robirds	Sallee	Scheve	Schilling	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 024

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Boatright	Crawford	Evans	Froelker	Griesheimer
Hartzler 123	Hendrickson	Hohulin	Kasten	Kelley 47
Levin	Lograsso	Phillips	Pouche 30	Purgason
Ridgeway	Ross	Secrest	Townley	

PRESENT: 001

Luetkemeyer

ABSENT WITH LEAVE: 007

Berkstresser	Bonner	Cierpiot	Hoppe	Murphy
Nordwald	Stokan			

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Gambaro, title to the bill was agreed to.

Representative Fraser moved that the vote by which the bill passed be reconsidered.

Representative Hollingsworth moved that motion lay on the table.

The latter motion prevailed.

Representative Riback Wilson (25), having voted on the prevailing side, moved that the vote by which **HB 1685** (Consent) was defeated on Third Reading and Final Passage, be reconsidered.

Which motion was adopted by the following vote:

AYES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Graham 24	Gratz	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 071

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Loudon	Luetkemeyer	Marble	McClelland
Miller	Myers	Naeger	Ostmann	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Summers	Surface	Townley	Tudor	Vogel
Wright				

PRESENT: 001

Holand

ABSENT WITH LEAVE: 007

Berkstresser	Green	Hoppe	Long	Murphy
Nordwald	Stokan			

VACANCIES: 002

HB 1685 held its place on the House Bills for Third Reading - Consent Calendar.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 753 - Commerce

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 32, introduced by Representatives Loudon, Alter, Enz, Froelker, Hendrickson and McClelland, urging the Governor to allow St. Louis to opt out of the EPA's reformulated gasoline program until a safer substitute for methyl tertiary butyl ether (MTBE) is found.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 2149, introduced by Representative Evans, relating to tax relief.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, April 4, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-sixth Day, Thursday, March 30, 2000, pages 753 and 754, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 754 and 755, roll call, by showing Representative Howerton voting "aye" rather than "absent with leave".

Pages 759 and 760, roll call, by showing Representative Chrismer voting "aye" rather than "absent with leave".

Pages 760 and 761, roll call, by showing Representative Barry voting "aye" rather than "no".

Pages 760 and 761, roll call, by showing Representatives Gross and Phillips voting "aye" rather than "absent with leave".

Page 762, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Page 763, roll call, by showing Representatives Phillips, Purgason, Ross, Selby and Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 5, 2000. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - SB 540, SCR 27

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, April 4, 2000, 8:30 am. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1113

BUDGET

Tuesday, April 4, 2000, 1:00 pm. Hearing Room 3.

Executive Session. To be considered - HB 1120

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 5, 2000. Hearing Room 1 upon morning adjournment.

AMENDED.

To be considered - HB 2126, SB 557, SB 722, SB 836, SB 858, SB 914, SB 942

CONSUMER PROTECTION AND HOUSING

Tuesday, April 4, 2000, 8:00 pm. Hearing Room 1.

Possible Executive Session to follow.

To be considered - HB 2057, SB 643

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, April 4, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - SB 555, SB 618, SB 789, SB 985

CRIMINAL LAW

Wednesday, April 5, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1528, HB 1658, HB 1851, HB 1920, HB 2010, SB 996

EDUCATION - HIGHER

Wednesday, April 5, 2000. Hearing Room 5 upon morning adjournment.

To be considered - SB 910, SB 953, SB 961

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 5, 2000, 8:30 am. Hearing Room 5.

To be considered - SB 788, SCR 21

LABOR

Tuesday, April 4, 2000, 8:00 pm. Hearing Room 3.

To be considered - HB 1707, HB 2135, SB 709, SB 734

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 4, 2000. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - SB 542, SB 719, SB 893, SB 915

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 4, 2000, 9:00 am. Hearing Room 1.

To be considered - SB 765, SB 907

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 5, 2000, 6:30 pm. Hearing Room 5.

To be considered - HB 2079, SB 663, SB 883, SB 921

PUBLIC HEALTH

Tuesday, April 4, 2000, 12:30 pm. Hearing Room 4.

Possible Executive Session.

To be considered - HB 2027, HB 2050, SB 685, SB 976

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, April 4, 2000, 9:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 2009, SB 537, SB 769

RETIREMENT

Wednesday, April 5, 2000, 8:00 pm. Hearing Room 1.

Executive Session follows.

To be considered - HB 2090, SB 616, SB 642, SB 821, SB 922, SB 975

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 4, 2000, 7:30 pm. Hearing Room 6.

Presentation on Medicaid spend down. AMENDED.

STATE PARKS, NATURAL RESOURCES AND MINING

Wednesday, April 5, 2000, 9:30 am. Hearing Room 4.

Possible Executive Session.

To be considered - SB 657

WAYS AND MEANS

Tuesday, April 4, 2000. Hearing Room 6 upon morning adjournment.

Executive Session possible.

To be considered - HB 1316, HB 1829, HB 2063, HCR 11

HOUSE CALENDAR

FORTY-EIGHTH DAY, TUESDAY, APRIL 4, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING
HCR 32

HOUSE BILL FOR SECOND READING
HB 2149

HOUSE JOINT RESOLUTION FOR PERFECTION
HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1305 - Rizzo
- 2 HCS HB 1574 & 1640 - Britt
- 3 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 4 HCS HB 1652 & 1433 - Hoppe
- 5 HB 1603, HCA 1 and HCA 2 - O'Connor
- 6 HCS HB 1711 - Abel
- 7 HCS HB 1797 - Gratz
- 8 HCS HB 1569 - Bray
- 9 HCS HB 1932 - Harlan
- 10 HCS HB 1967 - Hoppe
- 11 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HB 1472 - Smith

HOUSE BILLS FOR THIRD READING

- 1 HS HB 1615, E.C. (Fiscal Review, 3-29-00) - Hosmer
- 2 HS HCS HB 1242 - Treadway
- 3 HS HB 1238 - Hoppe
- 4 HS HCS HB 1481, (Fiscal Review, 3-30-00) - Smith

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1685 - Smith
- 2 HB 1454 - Hoppe
- 3 HB 1499 - Hoppe
- 4 HB 1631 - Hoppe
- 5 HB 1579 - Hoppe
- 6 HB 1597 - Auer

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- 7 HB 1284 - Kissell
- 8 HB 1659 - Summers
- 9 HB 1340 - Klindt
- 10 HB 1828 - Gross
- 11 HB 1095 - Richardson
- 12 HB 1358 - Loudon
- 13 HB 1275 - Chrismer

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 1825 - Klindt

SENATE BILL FOR THIRD READING

HCS SS SB 549, E.C. - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FORTY-EIGHTH DAY, TUESDAY, APRIL 4, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Lord of all tenderness, Lord of all might, support this place of democracy and leadership. May these men and women share in Your power - the power of creative love. May these women and men have a portion of Your justice - a justice whose roots crave equality and dignity to each human being. Let these men and women know the spirit of Your stewardship of all the universe - and be moved to renew their care and concern for our little corner of Your world. We are one in You, and yet independent in great diversity, sensing the interdependence of all things and all peoples. So may we live today and always. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Megan Hasty, Michael Forrentino, Andy Dusanowsky, Tara Buehler, Blair Romer, Patrick Mayfield, Hilary Mason, Steve Davis, Kayleigh Winslow, Rafeeq Warfield, Katlin Palmer, Kevin Binder, Anna Moore, Alex Fontana, Megan O'Donnell, Katie Roth, Sean Ludwig, Michael Nolte, Mary O'Rourke, Andrew Vines, Christine Southerland, Christina Nelson, Bethany Oakes, Abigail Oakes, Robert Bauer, Asia Chiapelas, Peter Olatunde, Alexandra Ormsby, Ronald Moore, Shannon Ragan, Molly Beck, Megan Banks, Camille Beckles, Mitch Schwartzman, Krystal Ransom, Alex Santacroce, Greg Touchette, Sam Holden, Jessica Meeks and Kim Johnson.

The Journal of the forty-seventh day was approved as corrected by the following vote:

AYES: 081

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Reynolds	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 073

Akin	Alter	Barnett	Bartelsmeyer	Bartle
Bennett	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Foster	Froelker	Gaskill
Gibbons	Graham 106	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kasten	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Murphy	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Roberts	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Ballard	Berkstresser	Evans	Lakin	Relford
Riley	Stokan			

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 831 - Representative Curls
 House Resolution No. 832 - Representative Davis (122)
 House Resolution No. 833 - Representative Reinhart
 House Resolution No. 834 - Representative Monaco
 House Resolution No. 835 - Representative Overschmidt
 House Resolution No. 836
 through
 House Resolution No. 838 - Representative Naeger
 House Resolution No. 839 - Representatives George, Green and Levin
 House Resolution No. 840 - Representative Richardson
 House Resolution No. 841 - Representative Hegeman
 House Resolution No. 842 - Representative Sallee
 House Resolution No. 843
 and
 House Resolution No. 844 - Representative Bartelsmeyer

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 32 was read the second time.

SECOND READING OF HOUSE BILL

HB 2149 was read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 1095, HB 1275, HB 1284, HB 1340, HB 1358, HB 1597, HB 1659** and **HB 1828**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HB 1305, relating to rehabilitation of abandoned property, was taken up by Representative Rizzo.

Representative Rizzo offered **HS HCS HB 1305**.

Representative Hanaway raised a point of order that **HS HCS HB 1305** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Kelley (47) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 6, Section 82.1050, Line 17, by inserting at the end of said section the following:

“214.030. The cemetery lots owned by such **county**, city, town or village shall be conveyed by deed signed by the mayor **or commissioner** of said **county**, city, town or village, duly attested by the [city] clerk **of such county, city, town or village, or other officer performing the duties of clerk**, and shall vest in the purchaser, his or her heirs and assigns, a right in fee simple to such lot for the sole purpose of interment [under] **pursuant to** the regulations of the council **or commission**, **except that such fee simple right may be revested in the county, city, town or village pursuant to section 214.035.**

214.035. 1. For purposes of this section, the term “lot owner” means the purchaser of the cemetery lot or such purchaser’s heirs, administrators, trustees, legatees, devisees, or assigns.

2. Whenever a county, city, town or village has acquired real estate for the purpose of maintaining a cemetery or has acquired a cemetery from a cemetery association, and such county, city, town or village or its predecessor in title has conveyed any platted lot or designated piece of ground within the area of such cemetery, and the governing body of such county, city, town or village is the governing body of such cemetery pursuant to section 214.010, the title to any conveyed platted lots or designated pieces of ground, other than ground in which dead human remains are actually buried and all ground within two feet thereof, may be revested in the county, city, town or village in the following manner and subject to the following conditions:

(1) No interment shall have been made in the lot and the title to such lot shall have been vested in the present owner for a period of at least fifty years prior to the commencement of any proceedings pursuant to this section;

(2) If the lot owner of any cemetery lot is a resident of the county where the cemetery is located, the governing body shall cause to be served upon such lot owner a notice that proceedings have been initiated to

revest the title of such lot in the county, city, town or village and that such lot owner may within the time provided by the notice file with the clerk or other officer performing the duties of clerk of such county, city, town or village, as applicable, a statement in writing explaining how rights in the cemetery lot were acquired and such person's desire to claim such rights in the lot. The notice shall be served in the manner provided for service of summons in a civil case and shall provide a period of not less than thirty days in which the statement can be filed. If the governing body ascertains that the statement filed by the lot owner is correct and the statement contains a claim asserting the rights of the lot owner in the lot, all proceedings by the governing body to revest title of the lot in the county, city, town or village shall be null and void and such proceedings shall be summarily terminated by the governing body as to the lots identified in the statements;

(3) If it is determined by the return of the sheriff of the county in which the cemetery is located that the lot owner is not a resident of the county and cannot be found in the county, the governing body may cause the notice required by subdivision (2) of this subsection to be published once each week for two consecutive weeks in a newspaper of general circulation within the county, city, town or village. Such notice shall contain a general description of the title revestment proceedings to be undertaken by the governing body pursuant to the section, lot numbers and descriptions and lot owners' names. In addition, the notice shall notify the lot owner that such lot owner may, within the time provided, file with the clerk or other officer performing the duties of a clerk a statement setting forth how such lot owner acquired rights in the cemetery lot and that such lot owner desires to assert such rights. If the governing body ascertains that the statement filed by the lot owner is correct and the statement contains a claim asserting the rights of the lot owner in the lot, all proceedings by the governing body to revest title to the lot in the county, city, town or village shall be null and void and such proceedings shall be summarily terminated by the governing body as to the lots identified in the statement;

(4) All notices, with proofs of service, mailing and publication of such notices, and all ordinances or other resolutions adopted by the governing body relative to these revestment proceedings shall be made a part of the records of such governing body;

(5) Upon expiration of the period of time allowed for the filing of statements by lot owners as contained in the notice served personally, by mail or published, all parties who fail to file with the clerk, or other officer performing the duties of clerk in such county, city, town or village, their statement asserting their rights in the cemetery lots shall be deemed to have abandoned their rights and claims in the lot, and the governing body may bring an action in the circuit court of the county in which the cemetery is located against all lot owners in default, joining as many parties so in default as it may desire in one action, to have the rights of the parties in such lots or parcels terminated and the property restored to the governing body of such cemetery free of any right, title or interest of all such defaulting parties or their heirs, administrators, trustees, legatees, devisees or assigns. Such action in all other respects shall be brought and determined in the same manner as ordinary actions to determine title to real estate;

(6) In all such cases the fact that the grantee, holder or lot owner has not, for a term of more than fifty successive years, had occasion to make an interment in the cemetery lot and the fact that such grantee, holder or lot owner did not upon notification assert a claim in such lot, pursuant to this section, shall be prima facie evidence that the party has abandoned any rights such party may have had in such lot;

(7) A certified copy of the judgments in such actions quieting title may be filed in the office of the recorder of deeds in and for the county in which the cemetery is situated;

(8) All notices and all proceedings pursuant to this section shall distinctly describe the portion of such cemetery lot unused for burial purposes and the county, city, town or village shall leave sufficient ingress to, and egress from, any grave upon the lot, either by duly dedicated streets or alleys in the cemetery, or by leaving sufficient amounts of the unused portions of the cemetery for such purposes;

(9) This section shall not apply to any lot in any cemetery where a perpetual care contract has been entered into between such cemetery, the county, city, town or village and the owner of such lot;

(10) Compliance with the terms of this section shall as fully revest the county, city, town or village with, and divest the lot owner of record of, the title to such portions of such cemetery lot unused for burial purposes as though the lot had never been conveyed to any person, and such county, city, town or village, shall have, hold and enjoy such unclaimed portions of such lots for its own uses and purposes, subject to the laws of this state, and to the charter, ordinances and rules of such cemetery and the county, city, town or village.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelley (47), **House Amendment No. 1** was adopted.

Representative Gambaro offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 17, Section 260.210, Line 2 of said page, by inserting after all of said line the following:

"441.500. As used in sections 441.500 to 441.643, the following terms mean:

(1) "Abatement", the removal or correction, including demolition, of any condition at a property that violates the provisions of any duly enacted building or housing code, as well as the making of such other improvements or corrections as are needed to effect the rehabilitation of the property or structure, including the closing or physical securing of the structure;

(2) "Agent", a person authorized by an owner to act for him;

(3) "Code enforcement agency", the official, agency, or board that has been delegated the responsibility for enforcing the housing code by the governing body;

(4) "Community", any county or municipality;

(5) "County", any county in the state;

(6) "Dwelling unit", premises or part thereof occupied, used, or held out for use and occupancy as a place of abode for human beings, whether occupied or vacant;

(7) "Governing body", the board, body or persons in which the powers of a community are vested;

(8) "Housing code", a local building, fire, health, property maintenance, nuisance or other ordinance which contains standards regulating the condition or maintenance of residential buildings;

(9) "Local housing corporation", a not for profit corporation organized pursuant to the laws of the state of Missouri for the purpose of promoting housing development and conservation within a specified area of a municipality or an unincorporated area;

(10) "Municipality", any incorporated city, town, or village;

(11) **"Neighborhood association", any group of persons organized for the sole purpose of improvement of a particular geographic area having specific boundaries within a municipality, provided that such association is recognized by the municipality as the sole association for such purpose within such geographic area;**

(12) "Notice of deficiency", a notice or other order issued by the code enforcement agency and requiring the elimination or removal of deficiencies found to exist under the housing code;

[(12)] (13) "Nuisance", a violation of provisions of the housing code applying to the maintenance of the buildings or dwellings which the code official in the exercise of reasonable discretion believes constitutes a threat to the public health, safety or welfare;

[(13)] (14) "Occupant", any person occupying a dwelling unit as his or her place of residence, whether or not that person is occupying the dwelling unit as a tenant from month to month or under a written lease, undertaking or other agreement;

[(14)] (15) "Owner", the record owner or owners, and the beneficial owner or owners when other than the record owner, of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, personal representative, trustee, lessee, agent, or any other person in control of a dwelling unit;

[(15)] (16) "Person", any individual, corporation, association, partnership, or other entity.

441.510. 1. If any building or dwelling is found to be in violation of building or housing codes which the county [or], municipality, **local housing corporation or neighborhood association** in the exercise of reasonable discretion believes constitutes a threat to the public health, safety or welfare, **and alleges the nature of such threat in its petition**, the county [or], municipality, **local housing corporation or neighborhood association**, in addition to any other remedies available to it, may apply to a court of competent jurisdiction for the appointment of a receiver to perform an abatement.

2. At least sixty days prior to the filing of an application for appointment of a receiver pursuant to sections 441.500 to 441.643, the county [or], municipality, **local housing corporation or neighborhood association** shall give written notice by regular mail to all interested parties of its intent to file the application and information relative to:

(1) The identity of the property;

(2) The violations of the building or housing codes giving rise to the application for the receiver;
 (3) The name, address and telephone number of the person or department where additional information can be obtained concerning violations and their remedy; and

(4) The county [or], municipality, **local housing corporation or neighborhood association** which may seek the appointment of a receiver pursuant to sections 441.500 to 441.643 unless action is taken within sixty days by an interested party.

3. A county [or], municipality, **local housing corporation or neighborhood association** may not apply for the appointment of a receiver pursuant to sections 441.500 to 441.643 if an interested party has commenced and is then prosecuting in a timely fashion an action or other judicial or nonjudicial proceeding to foreclose a security interest on the property, or to obtain specific performance of a land sale contract, or to forfeit a purchaser's interest under a land sale contract.

4. Notice of the application for the appointment of a receiver shall be served on all interested parties.

5. If, following the application for appointment of a receiver, one or more of the interested parties elects to correct the conditions at the property giving rise to the [county's or municipality's] application for the appointment of a receiver, the party or parties shall be required to post security in an amount and character as the court deems appropriate to ensure timely performance of all work necessary to make corrections, as well as such other conditions as the court deems appropriate to effect the timely completion of the corrections by the interested party or parties.

6. In the event that no interested party elects to act pursuant to subsection 5 of this section or fails to timely perform work undertaken pursuant to subsection 5 of this section, the court shall make a determination that the property is in an unsafe or insanitary condition and appoint a receiver to complete the abatement.

7. A receiver appointed by the court pursuant to sections 441.500 to 441.643 shall not be required to give security or bond of any sort prior to appointment.

441.520. 1. The action to appoint a receiver authorized by section 441.510 shall be commenced by the filing of a verified petition by the county [or], municipality, **local housing corporation or neighborhood association**.

2. There shall be named as defendants:

(1) The last owner of record of the dwelling as of the date of the filing of the petition; and
 (2) The last holder of record of any mortgage, deed of trust, or other lien of record against the building as of the date of the filing of the petition.

3. Any owner of the dwelling who is not a party defendant may be permitted by the court to join as a party defendant.

4. (1) Any owner, whether or not a citizen or resident of this state, who in person or through agent, owns, uses, or is possessed of any real estate situated in this state thereby subjects himself or itself to the jurisdiction of the courts of this state as to any cause of action arising pursuant to the provisions of sections 441.500 to 441.643. Personal service of process shall be made in accordance with the rules of civil procedure; provided that, if such service cannot with due diligence be made, service of process may be made by personally serving process upon the defendant outside this state, or by service in accordance with the rules of civil procedure as in all cases affecting a res within the jurisdiction of the court.

(2) If a landlord of residential property is not a resident of this state or is a corporation, [he must] **the landlord shall** designate an agent upon whom service of process may be made in this state. The agent shall be a resident of this state or a corporation authorized to transact business in this state. The designation shall be in writing and include the address and the name of the registered agent and shall be filed in the office of the secretary of state. If no designation is made and filed or if process cannot be served in this state upon the designated agent, process may be served upon the secretary of state, but service upon him **or her** is not effective unless the petitioner forthwith mails a copy of the process and pleading by certified mail to the defendant or respondent at the address stated on the assessor's records for the subject property. An affidavit of compliance with this section shall be filed with the clerk of the court.

5. Any action brought pursuant to the provisions of sections 441.500 to 441.643 shall be expedited by the court and may be given precedence over other suits.

441.550. In any application for receivership brought pursuant to sections 441.500 to 441.643, the county [or], municipality, **local housing corporation or neighborhood association** shall file for record, with the recorder of deeds of the county in which any such real estate is situated, a written notice of the pendency of the suit pursuant to the requirements of section 527.260, RSMo. From the time of filing such notice the pendency of suit shall be constructive notice to persons thereafter acquiring an interest in the building.

441.590. 1. The court may, in any order entered pursuant to section 441.570:

(1) Authorize the receiver to draw upon the rents deposited in court to pay for the cost of necessary repairs upon

presentment to the court of the original copy of any invoice for work performed or materials purchased;

(2) Appoint the code enforcement agency, the mortgagee or other lienor of record, a local housing corporation established to promote housing development and conservation in the area in which such property that is the subject of receivership is located **or, if no local housing corporation exists for such area, then the local neighborhood association**, a licensed attorney or real estate broker, or any other qualified person, as a receiver provided, however, that all lienholders of record shall be given the right of first refusal to serve as receiver in the order in which their lien appears of record. In the event of the refusal of all lienholders of record to serve as receiver or in the absence of any lienholders of record, the local housing corporation that is established to promote housing development and conservation in the area in which such property that is the subject of receivership is located, if any, shall be given the right of first refusal to serve as receiver for any residential property consisting of four units or less; **provided that, if no local housing corporation exists for such area, then the local neighborhood association shall be given such right of first refusal**; or

(3) Where the building is vacant, appoint the code enforcement agency, the mortgagee or other lienor of record, a local housing corporation established to promote development and conservation in the area in which such property that is the subject of receivership is located **or, if no local housing corporation exists for such area, then the local neighborhood association**, a licensed attorney or real estate broker, or any other qualified person, as a receiver to remove all of the housing code violations which constitute a nuisance as found by the court, except that all lienholders of record shall be given the right of first refusal to serve as receiver in the order in which their liens appear of record. In the event of the refusal of all lienholders of record to serve as receiver or in the absence of any lienholders of record, the local housing corporation that is established to promote development and conservation in the area in which such property that is the subject of receivership is located, if any, shall be given the right of first refusal to serve as receiver for any residential property consisting of four units or less; **provided that, if no local housing corporation exists for such area, then the local neighborhood association shall be given such right of first refusal**.

2. The court may allow a receiver reasonable and necessary expenses, payable from the rent moneys.

3. No receiver appointed shall serve without bond. The amount and form of such bond shall be approved by the court and the cost of such bond shall be paid from the moneys so deposited.

4. The receiver may, on order of the court, take possession of the property, collect all rents and profits accruing from the property, and pay all costs of management, including all insurance premiums and all general and special real estate taxes or assessments.

5. The receiver shall with all reasonable speed remove all of the housing code violations which constitute a nuisance as found by the court, and may make other improvements to effect a rehabilitation of the property in such fashion as is consistent with maintaining safe and habitable conditions over the remaining useful life of the property. The receiver shall have the power to let contracts therefor, in accordance with the provisions of local laws, ordinances, rules and regulations applicable to contracts.

6. The receiver may with the approval of the circuit court borrow money against, and encumber, the property as security therefor in such amounts as may be necessary to carry out his or her responsibilities pursuant to sections 441.500 to 441.643. The circuit court may authorize the receiver to issue receiver's certificates as security against such borrowings, which certificates shall be authorized investments for banks and savings and loan associations, and shall constitute a first lien upon the property and its income and shall be superior to any claims of the receiver and to all prior or subsequent liens and encumbrances except taxes and assessments, and shall be enforceable as provided in subsection 8 of this section.

7. In addition to issuance of receiver certificates, the receiver may pledge the rentals from the property and borrow or encumber the property on the strength of the rental income.

8. Any receiver appointed pursuant to the provisions of sections 441.500 to 441.643 shall have a lien, for the expenses necessarily incurred in the execution of an order, upon the rents receivable from the premises on or in respect of which the work required by such order has been done or expenses incurred, and this lien shall have priority over all other liens and encumbrances of record upon the rents receivable from the premises, except taxes, assessments, receiver's certificates, and mortgages recorded prior to October 13, 1969.

9. For the purposes of this section, "local housing corporation" shall mean only those local housing corporations established prior to April 28, 1999."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Gambaro, **House Amendment No. 2** was adopted.

Representative Fitzwater offered **House Amendment No. 3.***House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Section 67.1063, Page 3, Line 19, by inserting immediately after said line the following:

"67.1300. 1. The governing body of any of the contiguous counties of the third classification without a township form of government enumerated in subdivisions (1) to (5) of this subsection or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty thousand but less than forty-five thousand with a state university, and adjoining a county of the first classification with part of a city with a population of three hundred fifty thousand or more inhabitants or a county of the third classification with more than fifteen townships having a population of at least twenty-one thousand inhabitants or a county of the third classification without a township form of government and with a population of at least seven thousand four hundred but less than eight thousand inhabitants or any county of the third classification with a population greater than three thousand but less than four thousand or any county of the third classification with a population greater than six thousand one hundred but less than six thousand four hundred or any county of the third classification with a population greater than six thousand eight hundred but less than seven thousand or any county of the third classification with a population greater than seven thousand eight hundred but less than seven thousand nine hundred or any county of the third classification with a population greater than eight thousand four hundred sixty but less than eight thousand five hundred or any county of the third classification with a population greater than nine thousand but less than nine thousand two hundred or any county of the third classification with a population greater than ten thousand five hundred but less than ten thousand six hundred or any county of the third classification with a population greater than twenty-three thousand five hundred but less than twenty-three thousand seven hundred or a county of the third classification with a population greater than thirty-three thousand but less than thirty-four thousand or a county of the third classification with a population greater than twenty thousand eight hundred but less than twenty-one thousand or a county of the third classification with a population greater than fourteen thousand one hundred but less than fourteen thousand five hundred or a county of the third classification with a population greater than twenty thousand eight hundred fifty but less than twenty-two thousand or a county of the third classification with a population greater than thirty-nine thousand but less than forty thousand or a county of the third classification with a township form of organization and a population greater than twenty-eight thousand but less than twenty-nine thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand five hundred or a county of the third classification with a population greater than eighteen thousand but less than nineteen thousand seventy or a county of the third classification with a population greater than thirteen thousand nine hundred but less than fourteen thousand four hundred or a county of the third classification with a population greater than twenty-seven thousand but less than twenty-seven thousand five hundred or a county of the first classification without a charter form of government and a population of at least eighty thousand but not greater than eighty-three thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand nine hundred without a township form of government which does not adjoin any county of the first, second or fourth classification or a county of the third classification with a population greater than twenty-three thousand but less than twenty-five thousand without a township form of government which does not adjoin any county of the second or fourth classification and does adjoin a county of the first classification with a population greater than one hundred twenty thousand but less than one hundred fifty thousand or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty-eight thousand, **or any county of the first classification with a population greater than one hundred twenty thousand but less than one hundred seventy thousand, or any county of the third classification with a population greater than twenty-one thousand nine hundred but less than twenty-three thousand,** or any governing body of a municipality located in any of such counties may impose, by ordinance or order, a sales tax on all retail sales made in such county or municipality which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo:

(1) A county with a population of at least four thousand two hundred inhabitants but not more than four thousand five hundred inhabitants;

(2) A county with a population of at least four thousand seven hundred inhabitants but not more than four thousand nine hundred inhabitants;

(3) A county with a population of at least seven thousand three hundred inhabitants but not more than seven thousand six hundred inhabitants;

(4) A county with a population of at least ten thousand one hundred inhabitants but not more than ten thousand three hundred inhabitants; and

(5) A county with a population of at least four thousand three hundred inhabitants but not more than four thousand five hundred inhabitants.

2. The maximum rate for a sales tax pursuant to this section shall be one percent for municipalities and one-half of one percent for counties.

3. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the county or municipality submits to the voters of the county or municipality, at a regularly scheduled county, municipal or state general or primary election, a proposal to authorize the governing body of the county or municipality to impose a tax. Any sales tax imposed pursuant to this section shall not be authorized for a period of more than five years.

4. Such proposal shall be submitted in substantially the following form:

Shall the (city, town, village or county) of impose a sales tax of (insert amount) for the purpose of economic development in the (city, town, village or county)?

GYES

GNO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall not impose the sales tax authorized in this section until the governing body of the county or municipality resubmits another proposal to authorize the governing body of the county or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon; however no such proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last such proposal.

5. All revenue received by a county or municipality from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for economic development purposes within such county or municipality for so long as the tax shall remain in effect.

6. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for economic development purposes within the county or municipality. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county or municipal funds.

7. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Economic Development Sales Tax Trust Fund".

8. The moneys in the local economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each county or municipality imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county or municipality and the public.

9. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county or municipality which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or municipality. Expenditures may be made from the fund for any economic development purposes authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties and municipalities.

11. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention

in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

12. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section.

13. For purposes of this section, the term "economic development" is limited to the following:

- (1) Operations of economic development or community development offices, including the salaries of employees;
- (2) Provision of training for job creation or retention;
- (3) Provision of infrastructure and sites for industrial development or for public infrastructure projects; and
- (4) Refurbishing of existing structures and property relating to community development."; and

Further amend said substitute, by amending title and enacting clause accordingly.

On motion of Representative Fitzwater, **House Amendment No. 3** was adopted.

Representative Skaggs offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 6, Section 82.1050, Line 15, by inserting immediately after said line the following:

"4. The provisions of subsections 1, 2 and 3 shall not apply to landlords owning or leasing five or fewer lots or properties."; and

Further amend said bill, Section 82.1050, Page 6, Line 16, by deleting the figure "4" and inserting in lieu thereof the figure "5".

Representative Lograsso offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 5, Section 82.1050, Line 8, by inserting after the word "any", the words "limited liability company".

Representative Lograsso moved that **House Substitute Amendment No. 1 for House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Troupe offered **House Substitute Amendment No. 2 for House Amendment No. 4**.

*House Substitute Amendment No. 2
for
House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 5, Section 82.1050, Line 10, by inserting immediately after “**inhabitants**” the following: “**or in any city not within a county**”; and

Further amend said bill, Section 82.1050, Page 6, Line 15, by inserting immediately after said line the following:

“**4. The provisions of subsections 1, 2 and 3 shall not apply to landlords owning or leasing five or fewer lots or properties.**”; and

Further amend said bill, Section 82.1050, Page 6, Line 16, by deleting the figure “**4**” and inserting in lieu thereof the figure “**5**”.

On motion of Representative Troupe, **House Substitute Amendment No. 2 for House Amendment No. 4** was adopted.

Representative Luetkenhaus offered **House Amendment No. 5**.

Representative Monaco raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Riback Wilson (25) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 6, Section 82.1050, Line 17, by inserting after said line the following:

"205.571. Sections 205.571 to 205.577 shall be known and may be cited as the "Family and Community Trust Act".

205.573. 1. There is hereby created the "Family and Community Trust". The trust shall be governed by a board which shall include the directors of the departments of corrections, elementary and secondary education, health, labor and industrial relations, economic development, mental health, public safety and social services. The board shall also include nine private sector members of various backgrounds reflective of the geographic and demographic diversity of the state, including persons with evaluation expertise and experience with business partnerships, with knowledge of community organization and support systems, and of the needs and circumstances of children and families. Members shall be residents of the state of Missouri or have their principal place of business in Missouri. The private sector members shall be appointed by the governor, with the advice and consent of the senate, based on recommendations from private and public community-based organizations or individuals. Additional department directors may be appointed; however, an additional private sector member shall be appointed for each additional department director appointed. Private sector members shall serve staggered three-year terms and shall serve no more than two consecutive terms. The governor may appoint nonvoting members to the trust as deemed appropriate by the governor and the trust board.

2. The board shall elect from among its membership cochairpersons, one each from the public and private sectors. Members of the board shall receive no compensation, but may receive reimbursement for their actual and necessary expenses incurred in the performance of their official duties as members of the board.

3. The purpose of the trust is to provide leadership through a public-private partnership, in collaboration with community agencies and organizations, to measurably improve the well-being of Missouri's families, children, individuals and communities, and encourage collaboration among public and private entities to build and strengthen comprehensive community-based support systems. The trust shall also coordinate its efforts with other statewide boards and commissions to advise the governor and legislature on statewide goals and objectives to improve the well-being of Missouri's families, children, individuals and communities through the efficient and effective coordination of state resources.

205.575. 1. The trust, a body corporate and politic, shall have the following powers together with all other powers incidental thereto or necessary for the performance thereof; provided, however, that the trust shall not supersede the statutory authority of the state departments:

(1) To receive, accept and utilize gifts, grants, donations, contributions, money, property, facilities and services, with or without consideration, from any person, firm, corporation, foundation or other entity, or from this state or any agency, instrumentality or political subdivision thereof, from the United States government or any agency, instrumentality thereof, for the purpose of providing sustained technical support and training for state agencies and communities in their attempts to improve the well-being of Missouri's families, children, individuals and communities. Technical training and support shall be available through representatives of state agencies, existing community agencies, community development specialists and qualified researchers;

(2) To create plans, in collaboration with community agencies and state agencies, that identify a common core of measurable results across communities, that assure accountability, and that incorporate interagency and community strategies and other initiatives to improve the well-being of families, children, individuals and communities;

(3) To monitor the implementation of and evaluate the effectiveness of the action plans in achieving the measurable results across the state;

(4) To devise strategies to respond to any federal fiscal policy changes affecting programs which impact on the well-being of families, children, individuals and communities in this state, including those changes required by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, as amended.

2. The trust shall be responsible for advising the governor and the general assembly on state budget or policy changes necessary to achieve:

- (1) Accountability for measurable results;
- (2) Bringing services closer to where families live and work, and children attend school;
- (3) Active community involvement in local decision making to measurably improve the well-being of families, children, individuals and communities;
- (4) Using dollars more flexibly and effectively to meet community needs and priorities consistent with the appropriations process of the general assembly and state policy goals.

3. The trust shall hold at least two public hearings a year. One of these hearings shall be held prior to the development of the departmental budget proposals and the trust shall provide its budget proposals to anyone requesting such proposals prior to the hearing. All other meetings of the trust shall be subject to the provisions of chapter 610, RSMo.

205.577. 1. There is hereby established the "Family and Community Trust Legislative Oversight Committee". The committee shall be comprised of five members of the house of representatives appointed by the speaker of the house with no more than three members from any one political party and five members of the senate appointed by the president pro tem of the senate with no more than three members from any one political party.

2. The committee shall:

- (1) Ensure that the family and community trust is overseeing the state's progress in meeting the goal of improving the well-being of families, children, individuals and communities; and
- (2) Ensure accountability for expenditures of public moneys and measurement of the effectiveness of the plans."; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Levin raised a point of order that **House Amendment No. 5** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Patek offered **House Amendment No. 1 to House Amendment No. 5**.

Representative Britt raised a point of order that **House Amendment No. 1 to House Amendment No. 5** is in the third degree.

The Chair ruled the point of order well taken.

HCS HB 1305, with House Amendment No. 5 and HS, as amended, pending, was laid over.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Amelia Garrison.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 845	-	Representative Ballard
House Resolution No. 846	-	Representative Wilson (42)
House Resolution No. 847		
through		
House Resolution No. 873	-	Representative Hendrickson
House Resolution No. 874	-	Representative Relford
House Resolution No. 875	-	Representative Harlan
House Resolution No. 876		
through		
House Resolution No. 880	-	Representatives Berkstresser and Robirds
House Resolution No. 881	-	Representative Kreider
House Resolution No. 882	-	Representative Williams (121)
House Resolution No. 883		
through		
House Resolution No. 890	-	Representative Scott
House Resolution No. 891	-	Representative Hagan-Harrell

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1434**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILLS

HCS HB 1305, with House Amendment No. 5 and HS, as amended, pending, relating to rehabilitation of abandoned property, was again taken up by Representative Rizzo.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 6, Section 82.1050, Line 17, by inserting after said line the following:

"205.571. Sections 205.571 to 205.577 shall be known and may be cited as the "Family and Community Trust Act".

205.573. 1. There is hereby created the "Family and Community Trust". The trust shall be governed by a board which shall include the directors of the departments of corrections, elementary and secondary education, health, labor and industrial relations, economic development, mental health, public safety and social services. The board shall also include nine private sector members of various backgrounds reflective of the geographic and demographic diversity of the state, including persons with evaluation expertise and experience with business partnerships, with knowledge of community organization and support systems, and of the needs and circumstances of children and families. Members shall be residents of the state of Missouri or have their principal place of business in Missouri. The private sector members shall be appointed by the governor, with the advice and consent of the senate, based on recommendations from private and public community-based organizations or individuals. Additional department directors may be appointed; however, an additional private sector member shall be appointed for each additional department director appointed. Private sector members shall serve staggered three-year terms and shall serve no more than two consecutive terms. The governor may appoint nonvoting members to the trust as deemed appropriate by the governor and the trust board.

2. The board shall elect from among its membership cochairpersons, one each from the public and private sectors. Members of the board shall receive no compensation, but may receive reimbursement for their actual and necessary expenses incurred in the performance of their official duties as members of the board.

3. The purpose of the trust is to provide leadership through a public-private partnership, in collaboration with community agencies and organizations, to measurably improve the well-being of Missouri's families, children, individuals and communities, and encourage collaboration among public and private entities to build and strengthen comprehensive community-based support systems. The trust shall also coordinate its efforts with other statewide boards and commissions to advise the governor and legislature on statewide goals and objectives to improve the well-being of Missouri's families, children, individuals and communities through the efficient and effective coordination of state resources.

4. Any political subdivision in the state by way of their governing entity may adopt a public-private partnership model for their political entity or region. Upon such favorable action, all state agencies identified by the trust in this section shall participate and collaborate with the local political subdivision.

205.575. 1. The trust, a body corporate and politic, shall have the following powers together with all other powers incidental thereto or necessary for the performance thereof; provided, however, that the trust shall not supersede the statutory authority of the state departments:

(1) To receive, accept and utilize gifts, grants, donations, contributions, money, property, facilities and services, with or without consideration, from any person, firm, corporation, foundation or other entity, or from this state or any agency, instrumentality or political subdivision thereof, from the United States government or any agency, instrumentality thereof, for the purpose of providing sustained technical support and training for state agencies and communities in their attempts to improve the well-being of Missouri's families, children, individuals and communities. Technical training and support shall be available through representatives of state agencies, existing community agencies, community development specialists and qualified researchers;

(2) To create plans, in collaboration with community agencies and state agencies, that identify a common core of measurable results across communities, that assure accountability, and that incorporate interagency and community strategies and other initiatives to improve the well-being of families, children, individuals and communities;

(3) To monitor the implementation of and evaluate the effectiveness of the action plans in achieving the measurable results across the state;

(4) To devise strategies to respond to any federal fiscal policy changes affecting programs which impact on the well-being of families, children, individuals and communities in this state, including those changes required by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, as amended.

2. The trust shall be responsible for advising the governor and the general assembly on state budget or policy changes necessary to achieve:

- (1) Accountability for measurable results;
- (2) Bringing services closer to where families live and work, and children attend school;
- (3) Active community involvement in local decision making to measurably improve the well-being of families, children, individuals and communities;
- (4) Using dollars more flexibly and effectively to meet community needs and priorities consistent with the appropriations process of the general assembly and state policy goals.

3. The trust shall hold at least two public hearings a year. One of these hearings shall be held prior to the development of the departmental budget proposals and the trust shall provide its budget proposals to anyone requesting such proposals prior to the hearing. All other meetings of the trust shall be subject to the provisions of chapter 610, RSMo.

205.577. 1. There is hereby established the "Family and Community Trust Legislative Oversight Committee". The committee shall be comprised of five members of the house of representatives appointed by the speaker of the house with no more than three members from any one political party and five members of the senate appointed by the president pro tem of the senate with no more than three members from any one political party.

2. The committee shall:

- (1) Ensure that the family and community trust is overseeing the state's progress in meeting the goal of improving the well-being of families, children, individuals and communities; and
- (2) Ensure accountability for expenditures of public moneys and measurement of the effectiveness of the plans."; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Patek, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted by the following vote:

AYES: 109

Akin	Alter	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Boykins	Bray 84
Britt	Campbell	Champion	Chrismer	Clayton
Crawford	Days	Dolan	Dougherty	Elliott
Enz	Ford	Foster	Fraser	Froelker
Gambaro	Gaskill	Gibbons	Graham 106	Gross
Gunn	Hampton	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Kreider	Lakin	Lawson	Leake	Legan
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McBride	McClelland	McKenna	Merideth
Miller	Murphy	Myers	Naeger	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reinhart	Richardson
Ridgeway	Ross	Sallee	Schwab	Scott
Secrest	Seigfreid	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Troupe
Tudor	Vogel	Wagner	Wiggins	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 040

Abel	Auer	Barry 100	Bonner	Boucher 48
Crump	Curls	Davis 122	Davis 63	Farnen
Fitzwater	Foley	Franklin	George	Graham 24
Gratz	Green	Hagan-Harrell	Harlan	Hickey
Hoppe	Koller	Levin	Liese	May 108
Mays 50	McLuckie	Monaco	Murray	O'Connor
O'Toole	Reynolds	Rizzo	Scheve	Schilling
Selby	Shelton	Treadway	Van Zandt	Williams 121

PRESENT: 001

Ward

ABSENT WITH LEAVE: 011

Burton	Cierpiot	Evans	Griesheimer	Luetkenhaus
Nordwald	Reid	Relford	Riley	Robirds
Stokan				

VACANCIES: 002

Representative Merideth offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 6, Section 82.1050, Line 17, by inserting after said line the following:

"135.205. For purposes of sections 135.200 to 135.256, an area must meet all the following criteria in order to qualify as an enterprise zone:

- (1) The area is one of pervasive poverty, unemployment, and general distress;
- (2) At least sixty-five percent of the residents living in the area have incomes below eighty percent of the median income of all residents within the state of Missouri according to the last decennial census or other appropriate source as approved by the director;
- (3) The resident population of the area must be at least four thousand but not more than seventy-two thousand

at the time of designation as an enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau; or, if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation must be at least one thousand but not more than [twenty] **twenty-five** thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction; provided, however, no enterprise zone shall be created which consists of the total area within the political boundaries of a county; and

(4) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director, within the area exceeds one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than fifty percent of the statewide percentage of residents employed on a full-time basis."; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Monaco raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Merideth, **House Amendment No. 6** was adopted.

Representative Overschmidt offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 11, Section 214.205, Line 13, by inserting immediately after said line the following:

"214.131. Every person who shall knowingly destroy, mutilate, disfigure, deface, injure or remove any tomb, monument or gravestone, or other structure placed in any abandoned family cemetery or private burying ground, or any fence, railing, or other work for the protection or ornamentation of any such cemetery or place of burial of any human being, or tomb, monument or gravestone, memento, or memorial, or other structure aforesaid, or of any lot within such cemetery is guilty of [a class A misdemeanor] **institutional vandalism pursuant to section 574.085, RSMo**. For the purposes of this section and subsection 1 of section 214.132, an "abandoned family cemetery" or "private burying ground" shall include those cemeteries or burying grounds which have not been deeded to the public as provided in chapter 214, and in which no body has been interred for at least twenty-five years."; and

Further amend said bill, Section 513.660, Page 23, Line 3, by inserting immediately after said line the following:

"537.523. 1. Irrespective of any criminal prosecution or the result thereof, **any owner of property adjacent to an abandoned family cemetery or private burying ground, as defined in section 214.131, RSMo, any caretaker of an abandoned family cemetery or private burying ground, as defined in section 214.131, RSMo, any person related by blood or marriage to any person buried in such family cemetery or private burying ground, or any person incurring bodily injury or damage or loss to [his] such person's property as a result of conduct in violation of section 574.085[, 574.090 or 574.093] or conduct when the defendant's sentence is enhanced pursuant to section 557.035, RSMo**, shall have a civil action to secure an injunction, damages or other appropriate relief in law or in equity against any and all persons who have violated section 574.085[, 574.090 or 574.093] **RSMo, or any defendant whose sentence was enhanced pursuant to section 557.035, RSMo**.

2. In any such action, whether **a defendant's sentence was enhanced pursuant to section 557.035, RSMo, or a violation of section 574.085, [574.090 or 574.093] RSMo**, has occurred shall be determined according to the

burden of proof used in other civil actions for similar relief.

3. Upon prevailing in such civil action, the plaintiff may recover:

- (1) Both special and general damages; and
- (2) Reasonable attorney fees and costs.

574.085. 1. A person commits the crime of institutional vandalism by knowingly vandalizing, defacing or otherwise damaging:

- (1) Any church, synagogue or other building, structure or place used for religious worship or other religious purpose;
- (2) Any cemetery, mortuary, military monument or other facility used for the purpose of burial or memorializing the dead;
- (3) Any school, educational facility, community center, hospital or medical clinic owned and operated by a religious or sectarian group;
- (4) The grounds adjacent to, and owned or rented by, any institution, facility, building, structure or place described in subdivision (1), (2), or (3) of this subsection;
- (5) Any personal property contained in any institution, facility, building, structure or place described in subdivision (1), (2), or (3) of this subsection; or
- (6) Any motor vehicle which is owned, operated, leased or under contract by a school district or a private school for the transportation of school children.

2. Institutional vandalism is punishable as follows:

- (1) Institutional vandalism is a class A misdemeanor[, except as provided in subdivisions (2) and (3) of this subsection] **if the damage to or loss of the property is valued at less than five hundred dollars;**
- (2) Institutional vandalism is a class D felony if the [offender commits any act described in subsection 1 of this section which causes damage to, or loss of, the property of another in an amount in excess of one thousand dollars] **damage to or loss of the property is valued at at least five hundred dollars and not more than ten thousand dollars;**
- (3) Institutional vandalism is a class C felony if the [offender commits any act described in subsection 1 of this section which causes damage to, or loss of, the property of another in an amount in excess of five thousand dollars] **damage to or loss of the property is valued at at least ten thousand dollars and less than one hundred thousand dollars;**
- (4) **Institutional vandalism is a class C felony and the offender shall be sentenced to seven years incarceration without possibility of probation or parole, if the damage to or loss of the property is valued at at least one hundred thousand dollars.**

3. In determining the amount of damage to property or loss of property, for purposes of this section, damage includes the cost of repair or, where necessary, replacement of the property that was damaged or lost.

4. In addition to any other penalty, the offender shall be ordered to pay restitution for the damage to or loss of the property.”; and

Further amend said bill by amending title and enacting clause and intersectional references accordingly.

On motion of Representative Overschmidt, **House Amendment No. 7** was adopted.

Representative Williams (159) offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 1, Section A, Line 18 of said page, by inserting after all of said line the following:

"32.105. As used in sections 32.100 to 32.125, the following terms mean:

- (1) "Affordable housing assistance activities", money, real or personal property, or professional services expended or devoted to the construction, or rehabilitation of affordable housing units;
- (2) "Affordable housing unit", a residential unit generally occupied by persons and families with incomes at or

below the levels described in this subdivision and bearing a cost to the occupant no greater than thirty percent of the maximum eligible household income for the affordable housing unit. In the case of owner-occupied units, the cost to the occupant shall be considered the amount of the gross monthly mortgage payment, including casualty insurance, mortgage insurance, and taxes. In the case of rental units, the cost to the occupant shall be considered the amount of the gross rent. The cost to the occupant shall include the cost of any utilities, other than telephone. If any utilities are paid directly by the occupant, the maximum cost that may be paid by the occupant is to be reduced by a utility allowance prescribed by the commission. Persons or families are eligible occupants of affordable housing units if the household combined, adjusted gross income as defined by the commission is equal to or less than the following percentages of the median family income for the geographic area in which the residential unit is located, or the median family income for the state of Missouri, whichever is larger; ("geographic area" means the metropolitan area or county designated as an area by the federal Department of Housing and Urban Development under Section 8 of the United States Housing Act of 1937, as amended, for purposes of determining fair market rental rates):

Size of Household	Percent of State or Geographic Area Family Median Income
One Person	35%
Two Persons	40%
Three Persons	45%
Four Persons	50%
Five Persons	54%
Six Persons	58%
Seven Persons	62%
Eight Persons	66%

(3) "Business firm", person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state;

(4) "Commission", the Missouri housing development commission;

(5) "Community services", any type of counseling and advice, emergency assistance or medical care furnished to individuals or groups in the state of Missouri or transportation services at below-cost rates as provided in sections 208.250 to 208.275, RSMo;

(6) "Crime prevention", any activity which aids in the reduction of crime in the state of Missouri;

(7) "Defense industry contractor", a person, corporation or other entity which will be or has been negatively impacted as a result of its status as a prime contractor of the Department of Defense or as a second or third tier contractor. A "second tier contractor" means a person, corporation or other entity which contracts to perform manufacturing, maintenance or repair services for a prime contractor of the Department of Defense, and a "third tier contractor" means a person, corporation or other entity which contracts with a person, corporation or other entity which contracts with a prime contractor of the Department of Defense;

(8) "Doing business", among other methods of doing business in the state of Missouri, a partner in a firm or a shareholder in an S corporation shall be deemed to be doing business in the state of Missouri if such firm or S corporation, as the case may be, is doing business in the state of Missouri;

(9) "Economic development", the acquisition, renovation, improvement, or the furnishing or equipping of existing buildings and real estate in distressed or blighted areas of the state when such acquisition, renovation, improvement, or the furnishing or equipping of the business development projects will result in the creation or retention of jobs within the state; or, until June 30, 1996, a defense conversion pilot project located in a standard metropolitan statistical area which contains a city with a population of at least three hundred fifty thousand inhabitants, which will assist Missouri-based defense industry contractors in their conversion from predominately defense-related contracting to nondefense-oriented manufacturing. Only neighborhood organizations, as defined in subdivision (13) of this section, may apply to conduct economic development projects. Prior to the approval of an economic development project, the

neighborhood organization shall enter into a contractual agreement with the department of economic development. Credits approved for economic development projects may not exceed four million dollars from within any one fiscal year's allocation. Neighborhood assistance program tax credits for economic development projects and affordable housing assistance as defined in section 32.111, may be transferred, sold or assigned by a notarized endorsement thereof naming the transferee;

(10) "Education", any type of scholastic instruction or scholarship assistance to an individual who resides in the state of Missouri that enables the individual to prepare himself or herself for better opportunities or community awareness activities rendered by a statewide organization established for the purpose of archeological education and preservation;

(11) "Homeless assistance pilot project", the program established pursuant to section 32.117;

(12) "Job training", any type of instruction to an individual who resides in the state of Missouri that enables the individual to acquire vocational skills so that the individual can become employable or be able to seek a higher grade of employment;

(13) "Neighborhood organization", any organization performing community services or economic development activities in the state of Missouri and:

(a) Holding a ruling from the Internal Revenue Service of the United States Department of the Treasury that the organization is exempt from income taxation pursuant to the provisions of the Internal Revenue Code; or

(b) Incorporated in the state of Missouri as a not for profit corporation pursuant to the provisions of chapter 355, RSMo; or

(c) Designated as a community development corporation by the United States government pursuant to the provisions of Title VII of the Economic Opportunity Act of 1964; or

(d) Contributing funds to help finance a building or structure located within this state and used to sell agricultural food products grown or produced in Missouri by family farm corporations, as defined in subdivision (5) of section 350.010, RSMo, family farms as defined in subdivision (4) of section 350.010, RSMo, and value-added agricultural products produced by eligible new generation cooperatives, as defined in section 348.340, RSMo;

(14) "Physical revitalization", furnishing financial assistance, labor, material, or technical advice to aid in the physical improvement or rehabilitation of any part or all of a neighborhood area;

(15) "S corporation", a corporation described in Section 1361(a)(1) of the United States Internal Revenue Code and not subject to the taxes imposed by section 143.071, RSMo, by reason of section 143.471, RSMo;

(16) "Workfare renovation project", any project initiated pursuant to sections 215.340 to 215.355, RSMo.

32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

(1) The annual tax on gross premium receipts of insurance companies in chapter 148, RSMo;

(2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030, RSMo;

(3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030, RSMo;

(4) The tax on other financial institutions in chapter 148, RSMo;

(5) The corporation franchise tax in chapter 147, RSMo;

(6) The state income tax in chapter 143, RSMo; and

(7) The annual tax on gross receipts of express companies in chapter 153, RSMo.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

(a) An area that is not part of a standard metropolitan statistical area;

(b) A standard metropolitan statistical area but such county has only one city, town or village which has more

than fifteen thousand inhabitants; or

(c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture.

Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460, RSMo. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530, RSMo, by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year;

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the

compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs **of neighborhood organizations defined pursuant to paragraphs (a), (b) and (c) of subdivision (13) of section 32.105** approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year **and the total amount of tax credit granted for programs of neighborhood organizations defined pursuant to paragraph (d) of subdivision (13) of section 32.105** approved pursuant to section 32.112 shall not exceed five million dollars per fiscal year for fiscal years 2002 to 2006.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.

34.047. The commissioner of administration shall provide a five-percent bidding preference for agricultural food products produced by an eligible new generation cooperative. As used in this section, "eligible new generation cooperative" means a nonprofit cooperative association formed pursuant to chapter 274, RSMo.; and

Further amend said bill, Page 17, Section 260.210, Line 2 of said page, by inserting after all of said line the following:

"261.031. The marketing program currently known as AgriMissouri is renamed "Producer's Choice".

261.032. The director of the department of agriculture shall, for the use of the marketing division of the department of agriculture, develop and implement rules and regulations by product category for all Missouri agricultural products included in the Producer's Choice marketing program, formerly known as AgriMissouri, or any equivalent successor program. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it is promulgated pursuant to chapter 536, RSMo.

261.037. 1. There is hereby created in the state treasury for the use of the marketing division of the state department of agriculture a fund to be known as "The Missouri Agricultural Products Marketing Development Fund". The general assembly shall appropriate to the fund from the general revenue fund one million three hundred thousand dollars for fiscal year 2002, one million dollars for fiscal year 2003 and seven hundred fifty thousand dollars for fiscal year 2006. All moneys received by the state department of agriculture for Missouri agricultural products marketing development from any source shall be deposited in the fund. Moneys deposited in the fund shall, upon appropriation by the general assembly to the state department of agriculture, be expended by the marketing division of the state department of agriculture for purposes of Missouri agricultural products marketing development as specified in this section. The unexpended balance in the Missouri agricultural products marketing development fund at the end of the biennium shall not be transferred to the ordinary revenue fund of the state treasury and accordingly shall be exempt from the provisions of section 33.080, RSMo, relating to transfer of funds to the ordinary revenue funds of the state by the state treasurer.

2. There is hereby created within the department of agriculture the "Citizens' Advisory Commission for Marketing Missouri Agricultural Products". The commission shall establish guidelines for the spending by the

marketing division of the department of agriculture of all moneys in the Missouri agricultural products marketing development fund created pursuant to subsection 1 of this section. The guidelines shall focus on the promotion of the Producer's Choice or successor trademark associated with Missouri agricultural products which has been approved by the general assembly, and shall advance the following objectives:

- (1) Increasing the impact and fostering the effectiveness of local efforts to promote Missouri agricultural products;
- (2) Enabling and encouraging expanded advertising efforts for Missouri agricultural products;
- (3) Encouraging effective, high-quality advertising projects, innovative marketing strategies, and the coordination of local, regional and statewide marketing efforts;
- (4) Providing training and technical assistance to cooperative-marketing partners.

The marketing division of the department of agriculture is authorized to promote rules consistent with the guidelines set by the commission. No rules or portion of a rule shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

3. The commission shall consist of seven members appointed by the governor with the advice and consent of the senate. One member shall be the director of the market development division of the department of agriculture. At least one member shall be a specialist in advertising; at least one member shall be a specialist in agribusiness; at least one member shall be a specialist in the retail grocery business; at least one member shall be a specialist in communications; at least one member shall be a specialist in product distribution; and at least one member shall be a farmer. Members shall serve for four-year terms, except in the first appointments three members shall be appointed for terms of four years, two members shall be appointed for terms of three years and two members shall be appointed for terms of two years each. Any member appointed to fill a vacancy of an unexpired term shall be appointed for the remainder of the term of the member causing the vacancy. The governor shall appoint a chairperson of the commission, subject to ratification by the commission.

4. Commission members shall receive no compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties on the commission. The division of market development of the department of agriculture shall provide all necessary staff and support services as required by the commission to hold commission meetings, to maintain records of official acts and to conduct all other business of the commission. The commission shall meet quarterly and at any such time that it deems necessary. Meetings may be called by the chairperson or by a petition signed by a majority of the members of the commission. Ten days notice shall be given in writing to such members prior to the meeting date. A simple majority of the members of the commission shall be present to constitute a quorum. Proxy voting shall not be permitted.

261.038. The marketing division of the department of agriculture shall create an Internet web site for the purpose of fostering the marketing of Missouri agricultural products over the Internet. The web site shall allow consumers to place orders for Missouri agricultural products over the Internet and shall enable small companies which process Missouri agricultural products to pool products with other such small companies."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Williams (159), **House Amendment No. 8** was adopted.

Representative Ridgeway requested a division of the question on **HS HCS HB 1305**, as amended.

The division of the question was denied by the Chair based on Rule 78 and the amendments previously adopted.

Representative Ford offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 27, Section 620.018, Line 13, by inserting immediately after said line the following:

"Section 1. 1. The Missouri housing development commission shall establish a pilot project, in conjunction with the governing body of any city not within a county, to renovate abandoned houses within any city not within a county, for sale to individuals with incomes at or below three hundred percent of the federal poverty level. The price of the renovated housing sale shall not exceed the costs incurred for the renovation.

2. The Missouri housing development commission shall establish a priority plan for renovating housing pursuant to subdivision 1 of this section, with areas within any city not within a county with the largest number of abandoned houses receiving first priority.

3. In addition to all court fees and costs prescribed by law, a surcharge of five dollars shall be assessed as costs in each court proceeding filed within the twenty-second judicial circuit for all violations of traffic laws of the state including an infraction, except that no surcharge shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality.

4. Any city not within a county shall use all funds received pursuant to subdivision 3 of this section to fund the housing renovation program pursuant to this section.

5. The provisions of this section shall expire on January 1, 2006."; and

Further amend said substitute, by amending the title and enacting clause accordingly.

On motion of Representative Ford, **House Amendment No. 9** was adopted by the following vote:

AYES: 105

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartle	Berkowitz	Black
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	Gambaro	Gaskill	George
Graham 106	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Kasten	Kelley 47	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Ransdall	Reynolds	Rizzo	Robirds	Sallee
Scheve	Schilling	Secrest	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 047

Ballard	Bartelsmeyer	Bennett	Berkstresser	Blunt
Boatright	Chrismer	Cierpiot	Crawford	Enz
Foster	Froelker	Gibbons	Griesheimer	Gross
Hartzler 124	Hendrickson	Hohulin	Howerton	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	Murphy
Naeger	Nordwald	Phillips	Pouche 30	Purgason
Reid	Reinhart	Richardson	Ridgeway	Ross

Schwab
Tudor

Shields
Wright

Summers

Surface

Townley

PRESENT: 000

ABSENT WITH LEAVE: 009

Elliott
Riley

Evans
Scott

Luetkenhaus
Stokan

Pryor
Vogel

Relford

VACANCIES: 002

Representative McClelland offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 65, Section 353.020, Lines 2-5, by deleting “**and any county of the first classification with a charter form of government and a population of at least nine hundred thousand inhabitants**” found on said lines.

On motion of Representative McClelland, **House Amendment No. 10** was adopted.

Representative Pouche offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 6, Section 82.1050, Line 17, by inserting after all of said line the following:

"91.066. Beginning August 28, 2000, no municipality having a municipally-owned or operated water service shall purchase any part of any public water supply district that is located wholly outside the boundaries of such municipality."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pouche, **House Amendment No. 11** was adopted.

Representative Boatright offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 17, Section 260.210, Line 2, by inserting at the end of said line the following:

"262.260. 1. The commission shall establish admission fees to be charged at the gates of the fairgrounds. The admission fees, revenues from the sale of privileges and revenues as a result of pari-mutuel wagering shall be payable to and collected by **the department of agriculture and transmitted to** the state director of revenue who shall deposit the same [in the general revenue fund to the credit of the state fair fee account] **to the credit of the "State Fair Fee Fund" which is hereby created in the state treasury. Such fund may also receive gifts, grants, contributions, appropriations and funds or benefits from any other source or sources.** The money in the state fair fee [account] **fund** may be used in improving and beautifying the grounds, paying premiums and defraying expenses of the state fair, including officers' salaries, the hire of assistants, expense and equipment, capital improvements and maintenance and repair.

2. The unexpended balance in the state fair fee fund at the end of each fiscal year shall not be transferred to the general revenue fund of the state, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue fund of the state by the state treasurer shall not apply to the state fair fee fund.

3. Any portion of the fund not immediately needed for the purposes authorized shall be invested by the state treasurer as provided by the constitution and laws of this state. All income from such investments shall be deposited in the state fair fee fund.”; and

Further amend title, enacting clause and intersectional references accordingly.

On motion of Representative Boatright, **House Amendment No. 12** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 17, Section 260.210, Line 2 of said page, by inserting after said line the following:

"441.900. 1. As used in this section, the following terms mean:

(1) "Manufactured home", the same meaning as provided in section 700.010, RSMo;

(2) "Manufactured or mobile home land lease community", any area, lot, parcel or tract held in common ownership and on which individual portions of such area, lot, parcel or tract are leased for the placement of manufactured or mobile homes as a primary residence;

(3) "Mobile home", a residential building constructed or assembled in a factory which is not certified pursuant to the federal Housing and Urban Development (HUD) Code and which conforms to the American National Standards Institute (ANSI) standards for mobile homes.

2. A landlord of a manufactured or mobile home land lease community shall provide written notice to all of the community's tenants who own their manufactured or mobile homes at least one hundred eighty days prior to requiring such tenants to vacate the property due to a change in use of the property. In cases where more than one hundred eighty days remain on a current lease, the longer time period shall apply for purposes of providing notice pursuant to this section. The landlord shall not increase the rent, except for a rent increase based solely on an increase in property taxes, for any tenant of the manufactured or mobile home land lease community within sixty days of providing such notice.

3. Nothing in this section shall be construed as prohibiting a landlord from evicting a tenant with less than one hundred eighty days' notice for a violation of the lease or as otherwise provided by law.”; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Kennedy raised a point of order that **House Amendment No. 13** is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Riback Wilson (25), **House Amendment No. 13** was adopted.

Representative Burton offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 6, Section 82.1050, by adding Subsection 6:

“6. No more than \$25.00 per property may be charged for a registration fee.”

On motion of Representative Burton, **House Amendment No. 14** was adopted.

Representative Luetkenhaus offered **House Amendment No. 15**.

Representative Rizzo raised a point of order that **House Amendment No. 15** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Pages 23- 27, Section 620.018, by deleting section 620.018 in its entirety found on said pages, and by amending the title and enacting clause accordingly.

Representative Hanaway offered **House Substitute Amendment No. 1 for House Amendment No. 15**.

*House Substitute Amendment No. 1
for
House Amendment No. 15*

AMEND House Substitute for House Committee Substitute for House Bill No. 1305, Page 24, Section 620.018.1(3), Line 2, by deleting the word “individual.”.

On motion of Representative Hanaway, **House Substitute Amendment No. 1 for House Amendment No. 15** was adopted.

On motion of Representative Rizzo, **HS HCS HB 1305, as amended**, was adopted.

On motion of Representative Rizzo, **HS HCS HB 1305, as amended**, was ordered perfected and printed.

HCS HBs 1574 & 1640, relating to regulation of hospitals, was placed on the Informal Calendar.

Representative Smith assumed the Chair.

HCS HBs 1677, 1675 & 1676, relating to domestic violence, was taken up by Representative Riback Wilson (25).

Representative Riback Wilson (25) offered **HS HCS HBs 1677, 1675 & 1676**.

Representative Dougherty offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 7, Section 375.1312, Line 5 of said page, by inserting after all of said line the following:

"454.1200. 1. A person less than eighteen years of age shall be deemed an emancipated minor if:
(1) The minor enters into a valid marriage, whether or not the marriage is subsequently dissolved; or
(2) The minor has served or is currently serving with the armed forces or National Guard of the United States.

2. A person less than eighteen years of age shall be eligible for limited emancipation if he or she receives a judgment of limited emancipation pursuant to sections 454.1200 to 454.1209.

454.1203. 1. Pursuant to Supreme Court Rule 52.02, a next friend may petition the court for a judgment of limited emancipation for a minor. If the minor has resided in the state for a period of not less than ninety days, the petition for limited emancipation may be brought in the family or juvenile court in the county where:

- (1) The minor is under the jurisdiction of the court; or**
- (2) The minor currently resides.**

2. The verified petition shall set forth with specificity the following facts:

(1) The minor is at least sixteen years of age;
(2) The minor willingly lives separate and apart from the minor's parents, legal custodian or legal guardian with the implied or express consent of the minor's parents, legal custodian or legal guardian;

(3) The minor is managing his or her own financial affairs. As evidence of this, the minor shall complete and attach to the petition a declaration of income and expenses. The Supreme Court of Missouri shall develop the form for such declaration;

(4) The source of the minor's income is not derived from any activity declared to be a crime by the laws of this state or the United States;

(5) The minor has participated in individual counseling, family mediation or a similar effort to determine alternatives to limited emancipation, or the minor has attempted to participate in individual counseling, family mediation or a similar effort to determine alternatives to emancipation, but was precluded from receiving the service because he or she could not obtain the consent of a parent, legal custodian or legal guardian;

(6) Limited emancipation is in the best interest of the child; and

(7) The minor understands the consequences of limited emancipation.

3. The court shall appoint a guardian ad litem or CASA volunteer for the minor who meets all of the requirements of subsection 2 of this section. Such guardian ad litem shall be an attorney licensed to practice law in the state of Missouri. The guardian ad litem or CASA volunteer may, for purposes of determining emancipation eligibility, participate in the proceedings as if such a guardian ad litem or CASA volunteer were a party.

4. Upon the filing of the petition for limited emancipation, the court shall cause a summons to be issued to the parents, legal custodian or legal guardian of the minor.

5. In cases where the minor is currently under the jurisdiction of the court at the time of filing, the court shall cause a summons to be issued to the deputy juvenile officer involved in the case. Such officer may, for purposes of determining emancipation eligibility, participate in the proceedings as if he or she were a party.

454.1206. A judgment of limited emancipation shall be considered conclusive and binding unless:

(1) For good cause shown, a judgment of limited emancipation is set aside after notice and hearing if the emancipated minor petitions the court that emancipation is no longer in his or her best interest; or

(2) The court continues the matter for further hearing not less than thirty days or more than six months

after the original hearing, and may order the parties to seek counseling.

454.1209. A judgment for limited emancipation of a minor shall have the following effects:

(1) The minor may consent to medical, dental or psychiatric care for himself or herself without parental consent, knowledge or liability;

(2) The minor may enter into a binding contract for the purposes of establishing a household, purchasing a motor vehicle, obtaining medical care, pursuing his or her education, or securing employment;

(3) The minor may sue and be sued in his or her own name for liabilities arising from his or her ability to establish a household, purchasing a vehicle, obtain medical care, pursue his or her education, or secure employment;

(4) The minor may enroll in any secondary school or college, or enter into any educational loan agreement without parental consent; and

(5) The minor shall be entitled to his or her earnings, and he or she may establish bank accounts without the permission of his or her parents, legal custodian or legal guardian."; and

Further amend said bill, Page 8, Section 455.010, Line 14 of said page, by inserting after the word "emancipated" the words "**pursuant to sections 454.1200 to 454.1209, RSMo**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 1** was adopted.

Representative McKenna offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 17, Section 455.230, Line 23, by inserting after said line all of the following:

“3. In addition to any shelter funded under said section, subject to appropriation, the Department of Social Services shall fund a child assessment center to serve the needs of children from families in conflict and from domestic violence to be located in Jefferson County.”

On motion of Representative McKenna, **House Amendment No. 2** was adopted.

Representative Patek offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 27, Section 565.074, Line 4, by deleting "**D**" and inserting in lieu thereof "**B**".

On motion of Representative Patek, **House Amendment No. 3** was adopted by the following vote:

AYES: 130

Abel	Akin	Alter	Backer	Ballard
Barnett	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Boucher 48
Boykins	Britt	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Curls	Davis 122
Davis 63	Dolan	Dougherty	Elliott	Enz

Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Gross	Gunn
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
McBride	McClelland	McKenna	Merideth	Miller
Monaco	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Shields	Skaggs	Smith
Summers	Surface	Townley	Treadway	Troupe
Tudor	Vogel	Wagner	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 019

Auer	Barry 100	Bonner	Days	Farnen
Fitzwater	George	Green	Hagan-Harrell	Kasten
Lograsso	McLuckie	Murray	O'Connor	Reynolds
Richardson	Selby	Shelton	Van Zandt	

PRESENT: 001

Ward

ABSENT WITH LEAVE: 011

Bray 84	Burton	Crump	Evans	Harlan
Mays 50	Pryor	Relford	Riley	Stokan
Thompson				

VACANCIES: 002

Representative Fraser offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 21, Section 565.063, Lines 11-13, by deleting the following:

"adults who are presently dating each other or have dated each other in the past, adults who are engaged to each other or have been engaged to each other in the past,"

and inserting in lieu thereof the following:

"a person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim,"; and

Further amend said House Substitute, Page 25, Section 565.063, Line 3, by deleting **"16."**; and

Further amend said section and page, Line 3, by inserting an opening bracket "[" before the word "The" and line 4, by inserting a closing bracket "]" after "1999".

On motion of Representative Fraser, **House Amendment No. 4** was adopted by the following vote:

AYES: 105

Abel	Auer	Backer	Barnett	Barry 100
Berkowitz	Black	Bonner	Boucher 48	Boykins
Bray 84	Britt	Campbell	Champion	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Kasten	Kelley 47	Kelly 27
Kennedy	Kissell	Klindt	Koller	Kreider
Lawson	Leake	Levin	Long	Luetkenhaus
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Monaco	Murphy	Murray
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Ransdall	Reynolds	Richardson	Rizzo	Ross
Scheve	Schilling	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Thompson	Treadway
Tudor	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 045

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Bennett	Berkstresser	Blunt	Boatright	Chrismer
Cierpiot	Enz	Foster	Froelker	Gaskill
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hendrickson	Hohulin	Howerton	King	Legan
Linton	Lograsso	Loudon	Marble	Miller
Nordwald	Purgason	Reid	Reinhart	Ridgeway
Robirds	Sallee	Schwab	Scott	Secrest
Summers	Surface	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 011

Burton	Elliott	Evans	Lakin	Liese
Luetkemeyer	Pryor	Relford	Riley	Stokan
Troupe				

VACANCIES: 002

Representative Parker offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 11, Section 455.050, Lines 21-24, by deleting all of said lines; and

Further amend said substitute, Page 12, Section 455.050, Lines 1 and 2, by deleting all of such lines.

On motion of Representative Parker, **House Amendment No. 5** was adopted.

Representative Summers offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 27, Section 565.090, Line 18, by inserting an opening bracket (“[”) after the word “anonymously”; and

Further amend said section and page, Line 19, by inserting a closing bracket (“]”) after the word “calls”; and

Further amend said section and page, Line 20, by inserting at the end of said line the following:

“3. A person commits the crime of aggravated harassment by committing any two of the following acts, for the purpose of frightening or disturbing another person.

(1) Communicates through any medium, including electronic mail, in writing or by telephone, a threat to commit any felony; or

(2) Makes a telephone call or communicates through any medium, including by electronic mail or in writing, and uses coarse language offensive to one of average sensibility; or

(3) Makes a telephone call anonymously; or

4. Aggravated harassment may also be committed by making repeated and excessive phone calls for the purpose of frightening or disturbing another person.

5. Aggravated harassment is a class D felony.”

On motion of Representative Summers, **House Amendment No. 6** was adopted.

Representative Lograsso offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 7, Section 375.1312, Line 5, by adding the following at the end of said line:

“If a child is emancipated pursuant to any section of law, the amount of child support paid for such child shall automatically be terminated by the court at the time of emancipation. In determining the amount of child support to be paid for any other children for whom the parent is obligated to pay support, the court may use the most recent form 14 submitted to the court by both parents to recalculate the amount of child support to be paid for any other children. Either parent may file a new form 14 with the court to rebut the presumed child support amount determined by the court in accordance with this subsection.”

Representative Riback Wilson (25) raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

Representative Monaco raised an additional point of order that **House Amendment No. 7** amends previously amended material.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the points of order not well taken.

On motion of Representative Lograsso, **House Amendment No. 7** was adopted.

Representative Hartzler (124) offered **House Amendment No. 8**.

Representative May (108) raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Gross offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 15, Section 455.045, Line 14, by inserting after all of said line the following:

“455.080. 1. Law enforcement agencies may establish procedures to ensure that dispatchers and officers at the scene of an alleged incident of abuse or violation of an order of protection can be informed of any recorded prior incident of abuse involving the abused party and can verify the effective dates and terms of any recorded order of protection.

2. The law enforcement agency shall apply the same standard for response to an alleged incident of abuse or a violation of any order of protection as applied to any like offense involving strangers, except as otherwise provided by law. Law enforcement agencies shall not assign lower priority to calls involving alleged incidents of abuse or violation of protection orders than is assigned in responding to offenses involving strangers. Existence of any of the following factors shall be interpreted as indicating a need for immediate response:

- (1) The caller indicates that violence is imminent or in progress; or
- (2) A protection order is in effect; or
- (3) The caller indicates that incidents of domestic violence have occurred previously between the parties.

3. Law enforcement agencies may establish domestic crisis teams or, if the agency has fewer than five officers whose responsibility it is to respond to calls of this nature, individual officers trained in methods of dealing with family and household quarrels. Such teams or individuals may be supplemented by social workers, ministers or other persons trained in counseling or crisis intervention. When an alleged incident of family or household abuse is reported, the agency may dispatch a crisis team or specially trained officer, if available, to the scene of the incident. **Additional training regarding violence intervention and prevention shall be made available to domestic crisis teams or individual officers who deal with domestic violence issues on a regular basis.**

4. The officer at the scene of an alleged incident of abuse shall inform the abused party of available judicial remedies for relief from adult abuse and of available shelters for victims of domestic violence.

5. Law enforcement officials at the scene shall provide or arrange transportation for the abused party to a medical facility for treatment of injuries or to a place of shelter or safety.

455.300. 1. There is hereby established the "Missouri Domestic Violence Commission" within the department of public safety to study solutions for domestic violence in Missouri. The commission shall be composed of the following members:

- (1) One judge of a juvenile court, who shall be appointed by the chief justice of the supreme court;
- (2) One judge of a family court, who shall be appointed by the chief justice of the supreme court;
- (3) Nine members of the general public, one from each congressional district and no more than five affiliated with the same political party;
- (4) Two members, one from each political party, of the house of representatives, who shall be appointed by the speaker of the house of representatives; and
- (5) Two members, one from each political party, of the senate, who shall be appointed by the president pro tempore of the senate.

All members shall serve for as long as they hold the position which made them eligible for appointment to the Missouri domestic violence commission pursuant to this subsection. All members shall serve without

compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

2. All meetings of the Missouri domestic violence commission shall be open to the public and shall, for all purposes, be deemed open public meetings pursuant to the provisions of sections 610.010 to 610.030, RSMo. The Missouri domestic violence commission shall meet no less than once every two months and shall hold its first meeting no later than sixty days after September 28, 2000. Notice of all meetings of the commission shall be given to the general assembly in the same manner required for notifying the general public of meetings of the general assembly.

3. The Missouri domestic violence commission may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers.

4. The commission shall elect from amongst its members a chairman, vice chairman, a secretary-reporter and any other officers as it deems necessary.

5. The services of the personnel of any agency from which the director or deputy director is a member of the commission shall be made available to the commission at the discretion of such director or deputy director. All meetings of the commission shall be held in the state of Missouri.

6. The commission, by majority vote, may invite individuals representing local and federal agencies or private organizations and the general public to serve as ex officio members of the commission. Such individuals shall not have a vote in commission business and shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

455.305. 1. Beginning in 2001, the department of public safety and the Missouri domestic violence commission established pursuant to this chapter, shall establish and administer up to twenty domestic violence prevention/intervention/rehabilitation pilot projects for the following purposes:

- (1) To implement, expand and establish cooperative efforts between law enforcement officers, prosecutors, victim advocacy groups and other related parties to investigate and prosecute incidents of domestic violence;
- (2) To prevent domestic violence and provide immediate shelter for victims of domestic violence;
- (3) To provide treatment and counseling to victims of domestic violence; and
- (4) To work in cooperation with the community to develop education and prevention strategies regarding domestic violence.

2. The pilot projects shall be selected by the department and the commission on a regional basis and representing each geographical area of the state. Subject to appropriation, no individual project shall receive more than twenty-five thousand dollars and no more than sixty percent of the total funds appropriated for the pilot projects shall be awarded to projects serving urban areas of the state.

3. The department and the commission shall promulgate rules and regulations to implement, administer and monitor the pilot projects. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

4. Beginning in 2001, the department and the commission shall submit an annual report of its activities to the speaker of the house of representatives, the president pro tem of the senate, and the governor before December thirty-first of each year.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Gross moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Parker offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 24, Section 565.063, Line 14, by inserting after the word “to” the following:

“the authorized term of imprisonment for”.

On motion of Representative Parker, **House Amendment No. 9** was adopted.

Representative Patek offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 17, Section 455.230, Line 21, by inserting after all of said line the following:

“Any shelter for victims of domestic violence as defined in this chapter may apply to the department of public safety for a grant to provide funds for the renovation, construction and improvement of such shelter on a 50/50 state/local match rate, subject to appropriation.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Luetkenhaus offered **House Substitute Amendment No. 1 for House Amendment No. 10**.

*House Substitute Amendment No. 1
for
House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 17, Section 455.230, Line 21, by inserting after all of said line the following:

“Any shelter for victims of domestic violence as defined in this chapter may apply to the department of public safety for a grant to provide funds for the renovation, construction and improvement of such shelter on a 75/25 state/local match rate, subject to appropriation.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Luetkenhaus, **House Substitute Amendment No. 1 for House Amendment No. 10** was adopted.

Representative Graham (24) offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 10, Section 455.010, Line 23, by inserting after all of said line the following:

“455.205. 1. The governing body of any county, or of any city not within a county, by order or ordinance to be effective prior to January 1, [2000] **2001**, may impose a fee upon the issuance of a marriage license and may impose

a surcharge upon any civil case filed in the circuit court under the provisions of section 452.305, RSMo. The surcharge shall not be charged when no court costs are otherwise required, and shall not be charged when costs are waived or are to be paid by the state, county or municipality.

2. The fee imposed upon the issuance of a marriage license shall be five dollars, shall be paid by the person applying for the license, and shall be collected by the recorder of deeds at the time the license is issued. The surcharge imposed upon the filing of a civil action shall be two dollars, shall be paid by the party who filed the petition, and shall be collected and disbursed by the clerk of the court in the manner provided by sections 488.010 to 488.020, RSMo. Such amounts shall be payable to the treasuries of the counties from which such surcharges were paid.

3. At the end of each month, the recorder of deeds shall file a verified report with the county commission of the fees collected pursuant to the provisions of subsection 2 of this section. The report may be consolidated with the monthly report of other fees collected by such officers. Upon the filing of the reports the recorder of deeds shall forthwith pay over to the county treasurer all fees collected pursuant to subsection 2 of this section. The county treasurer shall deposit all such fees upon receipt in a special fund to be expended only to provide financial assistance to shelters for victims of domestic violence as provided in sections 455.200 to 455.230.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Graham (24), **House Amendment No. 11** was adopted.

Representative Hanaway offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 20, Section 491.073, Line 17, by inserting after the number "**491.073**." the number "**1**.”; and

Further amend said bill, Page 20, Section 491.073, Line 20, by inserting after all of said line the following:

"2. A statement not specifically covered by subsection 1 of this section but having equivalent circumstantial guarantees of trustworthiness, shall not be excluded as hearsay, if the court determines that:

- (1) The statement is offered as evidence of a material fact;**
- (2) The statement is more probative on the point for which it is offered than any other evidence which the proponent can procure through reasonable efforts; and**
- (3) The interest of justice will best be served by admission of the statement into evidence.**

However, a statement shall not be admitted pursuant to this subsection unless the proponent of it makes known to the adverse party sufficiently in advance of the trial or hearing to provide the adverse party with a fair opportunity to prepare to meet it, the proponent's intention to offer the statement and the particulars of it, including the name and address of the declarant.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hanaway, **House Amendment No. 12** was adopted.

Representative Hanaway offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 15, Section 455.050, Line 14, by inserting after all of said line the following:

"455.085. 1. When a law enforcement officer has probable cause to believe a party has committed a violation of law amounting to abuse or assault, as defined in section 455.010, against a family or household member, the officer may arrest the offending party whether or not the violation occurred in the presence of the arresting officer. When the officer declines to make arrest pursuant to this subsection, the officer shall make a written report of the incident completely describing the offending party, giving the victim's name, time, address, reason why no arrest was made and any other pertinent information. Any law enforcement officer subsequently called to the same address within a twelve-hour period, who shall find probable cause to believe the same offender has again committed a violation as stated in this subsection against the same or any other family or household member, shall arrest the offending party for this subsequent offense. The primary report of nonarrest in the preceding twelve-hour period may be considered as evidence of the defendant's intent in the violation for which arrest occurred. The refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

2. When a law enforcement officer has probable cause to believe that a party, against whom a protective order has been entered and who has notice of such order entered, has committed an act of abuse in violation of such order, the officer shall arrest the offending party-respondent whether or not the violation occurred in the presence of the arresting officer. Refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

3. When an officer makes an arrest he is not required to arrest two parties involved in an assault when both parties claim to have been assaulted. The arresting officer shall attempt to identify and shall arrest the party he believes is the primary physical aggressor. The term "primary physical aggressor" is defined as the most significant, rather than the first, aggressor. The law enforcement officer shall consider any or all of the following in determining the primary physical aggressor:

- (1) The intent of the law to protect victims of domestic violence from continuing abuse;
- (2) The comparative extent of injuries inflicted or serious threats creating fear of physical injury;
- (3) The history of domestic violence between the persons involved.

No law enforcement officer investigating an incident of family violence shall threaten the arrest of all parties for the purpose of discouraging requests or law enforcement intervention by any party. Where complaints are received from two or more opposing parties, the officer shall evaluate each complaint separately to determine whether he should seek a warrant for an arrest.

4. In an arrest in which a law enforcement officer acted in good faith reliance on this section, the arresting and assisting law enforcement officers and their employing entities and superiors shall be immune from liability in any civil action alleging false arrest, false imprisonment or malicious prosecution.

5. When a person against whom an order of protection has been entered fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

6. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

7. A violation of the terms and conditions, with regard to abuse, stalking, child custody, **communications** or entrance upon the premises of the petitioner's dwelling unit, of an ex parte order of protection of which the respondent has notice, shall be a class A misdemeanor unless the respondent has previously pleaded guilty to or has been found guilty of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior pleas of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

8. A violation of the terms and conditions, with regard to abuse, stalking, child custody, **communications** or entrance upon the premises of the petitioner's dwelling unit, of a full order of protection shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of

such prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of the sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict. For the purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection if the law enforcement officer responding to a call of a reported incident of abuse or violation of an order of protection presented a copy of the order of protection to the respondent.

9. Good faith attempts to effect a reconciliation of a marriage shall not be deemed tampering with a witness or victim tampering under section 575.270, RSMo.

10. Nothing in this section shall be interpreted as creating a private cause of action for damages to enforce the provisions set forth herein."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hanaway, **House Amendment No. 13** was adopted.

Representative Ridgeway offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 26, Section 565.074, Line 22, by adding after the word "the" the word "primary".

Representative Ridgeway moved that **House Amendment No. 14** be adopted.

Which motion was defeated.

Representative Ridgeway offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 20, Section 455.550, Line 14, by deleting the word "All" and inserting in lieu thereof the word "Permanent".

Representative Ridgeway moved that **House Amendment No. 15** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Cierpiot	Crawford	Dolan
Elliott	Enz	Foster	Froelker	Gaskill
Gibbons	Graham 106	Griesheimer	Gross	Gunn
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kelley 47	Kennedy
King	Klindt	Legan	Levin	Linton
Lograsso	Loudon	Luetkemeyer	Marble	Merideth
Miller	Murphy	Myers	Nordwald	Patek
Phillips	Pouche 30	Pryor	Purgason	Reinhart
Richardson	Ridgeway	Robirds	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

NOES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambaro	George
Graham 24	Gratz	Green	Hagan-Harrell	Hampton
Harlan	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Long
Luetkenhaus	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Monaco	Murray	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Ransdall
Reid	Relford	Reynolds	Rizzo	Ross
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42			

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 009

Burton	Chrismer	Dougherty	Evans	Kasten
Naeger	Riley	Stokan	Mr. Speaker	

VACANCIES: 002

On motion of Representative Riback Wilson (25), **HS HCS HBs 1677, 1675 & 1676, as amended**, was adopted.

On motion of Representative Riback Wilson (25), **HS HCS HBs 1677, 1675 & 1676, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1888**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 2044**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 33, introduced by Representative Gross, to oppose the federal Drug Enforcement Administration's decision to cut off state funding to cover the cost of cleaning up clandestine drug laboratories.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2150, introduced by Representative Reinhart, relating to juvenile courts.

HB 2151, introduced by Representative Griesheimer, relating to school finance.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 802**, entitled:

An act to repeal section 99.805, RSMo Supp. 1999, relating to tax increment financing, and to enact in lieu thereof seven new sections relating to the same subject, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 850**, entitled:

An act to repeal section 334.128, RSMo 1994, relating to the state board of registration for the healing arts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

April 4, 2000

Anne C. Walker
Chief Clerk - House Administrator
Capitol Building - 306C
Jefferson City, Missouri 65101

Dear Chief Clerk:

I respectfully request the withdrawal of **House Bill 2150**.

Sincerely,

/s/ Annie Reinhart
State Representative
District 34

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 5, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-seventh Day, Monday, April 3, 2000, pages 777 and 778, roll call, by showing Representative Bonner voting "aye" rather than "absent with leave".

Page 779, roll call, by showing Representative Long voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, April 5, 2000. Hearing Room 7 upon morning adjournment.
Executive Session may follow.
To be considered - SB 540, SCR 27

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 5, 2000. Hearing Room 1 upon morning adjournment.
AMENDED.
To be considered - HB 2126, SB 557, SB 722, SB 836, SB 858, SB 914, SB 942

COMMERCE

Wednesday, April 5, 2000. Hearing Room 3 upon evening adjournment.
Executive Session may follow.
To be considered - SB 753, SB 1037

CONSUMER PROTECTION AND HOUSING

Thursday, April 6, 2000, 8:30 am. Hearing Room 4.
Executive Session.

CRIMINAL LAW

Wednesday, April 5, 2000, 1:00 pm. Hearing Room 2.
Executive Session may follow. AMENDED.
To be considered - HB 1528, HB 1658, HB 1920, HB 2010, SB 996

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, April 6, 2000, 9:00 am. Hearing Room 1.

Executive Session. AMENDED.

To be considered - HB 1686, SB 573

EDUCATION - HIGHER

Wednesday, April 5, 2000. Hearing Room 5 upon morning adjournment.

To be considered - SB 910, SB 953, SB 961

ENVIRONMENT AND ENERGY

Thursday, April 6, 2000, 8:30 am. Hearing Room 7.

Executive Session may follow.

To be considered - HB 2136, SB 558

FISCAL REVIEW

Wednesday, April 5, 2000. Hearing Room 3 upon morning adjournment.

Executive Session.

To be considered - HB 1481, HB 1615

FISCAL REVIEW

Thursday, April 6, 2000, 9:00 am. Hearing Room 5.

Executive Session.

To be considered - SB 741

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 5, 2000, 8:30 am. Hearing Room 5.

To be considered - SB 788, SCR 21

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 5, 2000, 8:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1763, HCR 20, HCR 22, SB 801

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, April 6, 2000, 9:00 am. Side gallery.

To be considered - Executive Session - HB 2056, Executive Session - SB 765,

Executive Session - SB 907

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 5, 2000, 6:30 pm. Hearing Room 5. AMENDED.

To be considered - SB 663, SB 883, SB 921

RETIREMENT

Wednesday, April 5, 2000, 6:00 pm. Hearing Room 1.

Executive Session follows. AMENDED.

To be considered - HB 2090, SB 616, SB 642, SB 821, SB 922, SB 975, SB 1013, SB 1015

STATE PARKS, NATURAL RESOURCES AND MINING

Wednesday, April 5, 2000, 9:30 am. Hearing Room 4.

Possible Executive Session.

To be considered - SB 657

TRANSPORTATION

Wednesday, April 5, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - SB 541, SB 881, SCR 25

UTILITIES REGULATION

Thursday, April 6, 2000, 8:30 am. Hearing Room 6.

To be considered - HB 1778, HB 1842, HB 1895

HOUSE CALENDAR

FORTY-NINTH DAY, WEDNESDAY, APRIL 5, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 33

HOUSE BILL FOR SECOND READING

HB 2151

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1652 & 1433 - Hoppe
- 2 HB 1603, HCA 1 and HCA 2 - O'Connor
- 3 HCS HB 1711 - Abel
- 4 HCS HB 1797 - Gratz
- 5 HCS HB 1569 - Bray
- 6 HCS HB 1932 - Harlan
- 7 HCS HB 1967 - Hoppe
- 8 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HB 1472 - Smith
- 5 HCS HB 1574 & 1640 - Britt

HOUSE BILLS FOR THIRD READING

- 1 HS HB 1615, E.C. (Fiscal Review, 3-29-00) - Hosmer
- 2 HS HCS HB 1242 - Treadway
- 3 HS HB 1238 - Hoppe
- 4 HS HCS HB 1481, (Fiscal Review, 3-30-00) - Smith
- 5 HCS HB 1434 - Skaggs

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1685 - Smith
- 2 HB 1454 - Hoppe
- 3 HB 1499 - Hoppe
- 4 HB 1631 - Hoppe
- 5 HB 1579 - Hoppe
- 6 HB 1597 - Auer
- 7 HB 1284 - Kissell
- 8 HB 1659 - Summers
- 9 HB 1340 - Klindt
- 10 HB 1828 - Gross
- 11 HB 1095 - Richardson
- 12 HB 1358 - Loudon
- 13 HB 1275 - Chrismer

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 1825 - Klindt

SENATE BILLS FOR SECOND READING

- 1 SCS SB 802
- 2 SS SB 850

SENATE BILL FOR THIRD READING

HCS SS SB 549, E.C. - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FORTY-NINTH DAY, WEDNESDAY, APRIL 5, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

God of all forbearance, in the beginning of this day's work, we ask a moment of respite. Let our souls catch their breaths for a moment, and lay aside any rancor or discontent. Gift us with the sense of the source and goal of the work we will do, and grace us then to recommit ourselves to the necessary exertions coming this day.

Our toil brings us one day closer to the end of this session, which seems so close at hand. May those same labors bring us also nearer to a fulfillment of what this House and this state continue to seek - the health and safety of our people. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jessica Smith, Kayla Smith, Leah Smith, Mariah Smith, Justin Mills, Pendell Wasson, Scott Neumann, Kyra Todd, Wesley Glaus, Jessica Joy Federer, Sarah Tyler, Ansel Witthaus, Matt Hanneken, Natalie Harlan, Evan Chen, Jacqueline Guarcello, Amanda Biggs, Jennae Neustadt, Sarah Stock, Sarah Heller, Karen Escobar, Martina Heiss, Eliane Hutter, Neda Law, Stacey Burns, Brandi Anstine, Lindsay Green, Brittney Courtright, Patricia Roston, Shawn Roth, Hannah Hoehne, Jennifer Koenig, Kelly Kassel, David Linhares, Jill Patton, Lexi Scharf, Kevin Jackson, Carolyn Lea Moncrief, Maggie McKenna, Megan Moran, Alex Dickmann, Ryan McCabe, Danielle Vitale, Jessica Deane, Brittany Gibson, Aigner King, Joey Crets, Joshua Crets, Kirby Rehbein, Michael Mowrey, Andrea Porter, Candice Coffey, Valerie Jennings and Stacey Burns.

The Journal of the forty-eighth day was approved as corrected by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe

Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Tudor
Vogel	Wright			

PRESENT: 001

Reid

ABSENT WITH LEAVE: 004

Crawford	Lograsso	Stokan	Townley
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VACANCIES: 002

Representative Britt assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 892 - Representative Hartzler (124)
 House Resolution No. 893
 through
 House Resolution No. 901 - Representative Hartzler (123)
 House Resolution No. 902 - Representative Kreider
 House Resolution No. 903
 and
 House Resolution No. 904 - Representative Howerton
 House Resolution No. 905 - Representative Relford

SECOND READING HOUSE CONCURRENT RESOLUTION

HCR 33 was read the second time.

SECOND READING HOUSE BILL

HB 2151 was read the second time.

SECOND READING SENATE BILLS

SCS SB 802 and **SS SB 850** were read the second time.

PERFECTION OF HOUSE BILL

HCS HBs 1652 & 1433, relating to sale of tobacco products, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS HBs 1652 & 1433**.

Speaker Gaw resumed the Chair.

Representative Koller offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 19, Section 407.934, Lines 19-24, by deleting all of said lines.; and

Further amend by renumbering said section.

On motion of Representative Koller, **House Amendment No. 1** was adopted by the following vote:

AYES: 093

Abel	Akin	Alter	Ballard	Barnett
Bartle	Bennett	Berkstresser	Black	Boatright
Bonner	Britt	Burton	Champion	Chrismer
Cierpiot	Crawford	Crump	Davis 63	Elliott
Enz	Evans	Ford	Foster	Froelker
George	Gibbons	Graham 106	Gratz	Green
Gross	Hampton	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kasten	Kelley 47	Kelly 27	King	Koller
Kreider	Lawson	Leake	Legan	Levin
Linton	Long	Loudon	Luetkemeyer	Marble
May 108	McBride	McClelland	Merideth	Miller
Myers	Naeger	Nordwald	O'Toole	Overschmidt
Patek	Phillips	Pouche 30	Pryor	Purgason
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Sallee	Scheve	Schwab
Scott	Secrest	Seigfreid	Shields	Summers
Surface	Townley	Treadway	Vogel	Wagner
Ward	Williams 159	Wright		

NOES: 058

Auer	Backer	Berkowitz	Blunt	Boucher 48
Boykins	Bray 84	Campbell	Clayton	Curles
Davis 122	Days	Dougherty	Farnen	Fitzwater
Foley	Franklin	Fraser	Gambaro	Graham 24
Griesheimer	Gunn	Hagan-Harrell	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kennedy
Kissell	Lakin	Liese	Luetkenhaus	Mays 50
McKenna	Monaco	Murphy	Murray	O'Connor

Ostmann	Ransdall	Relford	Riley	Ross
Schilling	Selby	Skaggs	Smith	Thompson
Troupe	Tudor	Van Zandt	Wiggins	Williams 121
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 010

Barry 100	Bartelsmeyer	Dolan	Gaskill	Klindt
Lograsso	McLuckie	Parker	Shelton	Stokan

VACANCIES: 002

Representative Schilling offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 18, Section 407.933, Line 11 of said page, by deleting the words: “**purchase, attempt to purchase or possess**” and inserting in lieu thereof the following: “**purchase or attempt to purchase**”.

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 19, Section 407.933, Line 7, by inserting after the word “violation” the following: “excluding the possession of tobacco products”.

Representative Schilling raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 2** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Reid, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted by the following vote:

AYES: 092

Akin	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Boatright	Bonner
Burton	Chrismer	Cierpiot	Crawford	Crump
Curls	Dolan	Dougherty	Elliott	Enz
Evans	Foster	Froelker	Gibbons	Graham 106
Graham 24	Griesheimer	Gross	Hampton	Hanaway
Harlan	Hartzler 123	Hilgemann	Holand	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kennedy
King	Koller	Lakin	Leake	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	May 108	Mays 50	McClelland
Miller	Murphy	Myers	Naeger	O'Toole
Overschmidt	Purgason	Ransdall	Reid	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross

Schwab	Scott	Secrest	Seigfreid	Smith
Summers	Surface	Thompson	Townley	Treadway
Tudor	Vogel	Wagner	Ward	Wiggins
Williams 121	Wright			

NOES: 064

Abel	Blunt	Boucher 48	Boykins	Bray 84
Britt	Campbell	Champion	Clayton	Davis 122
Davis 63	Days	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambaro	George
Gratz	Green	Gunn	Hagan-Harrell	Hartzler 124
Hegeman	Hendrickson	Hickey	Hollingsworth	Kelly 27
Kissell	Klindt	Kreider	Lawson	Liese
Marble	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	Nordwald	O'Connor	Ostmann
Parker	Patek	Phillips	Pouche 30	Pryor
Reinhart	Reynolds	Riley	Sallee	Scheve
Schilling	Selby	Shelton	Shields	Van Zandt
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 005

Gaskill	Hohulin	Skaggs	Stokan	Troupe
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VACANCIES: 002

HCS HBs 1652 & 1433, with HS, as amended, pending, was laid over.

On motion of Representative Crump, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Trevor Peroutka, Ceci Bodet and Christine Verseman.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 906
 through
 House Resolution No. 959 - Representative Murphy
 House Resolution No. 960
 through
 House Resolution No. 973 - Representative McClelland
 House Resolution No. 974
 and
 House Resolution No. 975 - Representative Hendrickson
 House Resolution No. 976 - Representative Surface
 House Resolution No. 977 - Representative Davis (122)

House Resolution No. 978

through

House Resolution No. 981 - Representative Murphy

House Resolution No. 982 - Representative Backer

House Resolution No. 983 - Representative Elliott

House Resolution No. 984 - Representative Relford

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1305** and **HS HCS HBs 1677, 1675 & 1676**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HBs 1652 & 1433, with HS, as amended, pending, relating to sale of tobacco products, was again taken up by Representative Hoppe.

Representative Van Zandt offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 15, Section 407.931, Line 12, by inserting after the word "minor," the following: "**any pregnant woman**,".

Representative Monaco assumed the Chair.

Representative Van Zandt moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 018

Boykins	Bray 84	Campbell	Curls	Days
Dougherty	Fitzwater	Harlan	Luetkenhaus	McLuckie
Relford	Rizzo	Schilling	Selby	Shelton
Van Zandt	Wilson 25	Wilson 42		

NOES: 134

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Britt	Burton	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Davis 122	Davis 63	Dolan	Elliott	Enz
Evans	Farnen	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill

George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	May 108
Mays 50	McClelland	McKenna	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Seigfreid	Shields
Smith	Summers	Surface	Thompson	Townley
Treadway	Tudor	Vogel	Wagner	Ward
Williams 121	Williams 159	Wright	Mr. Speaker	

PRESENT: 001

Riley

ABSENT WITH LEAVE: 008

Bartelsmeyer	Hagan-Harrell	McBride	Robirds	Skaggs
Stokan	Troupe	Wiggins		

VACANCIES: 002

Representative Hoppe offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 1, by inserting as Pages 2 and 3 of said bill the following:

“used in this section, “net federal reimbursement allowance” shall mean that amount of the federal reimbursement allowance in excess of the amount of state matching funds necessary for the state to make payments required by subsection 1 of section 208.471, RSMo, or, if the payments exceed the amount so required, the actual payments made for the purposes specified in subsection 1 of section 208.471, RSMo.

2. The tax shall be evidenced by stamps which shall be furnished by and purchased from the director or by an impression of the tax by the use of a metering machine when authorized by the director as provided in this chapter, and the stamps or impression shall be securely affixed to one end of each package in which cigarettes are contained. All cigarettes must be stamped before being sold in this state.

3. Cigarette tax stamps shall be purchased only from the director. All stamps shall be purchased by the director in proper denominations, shall contain such appropriate wording as the director may prescribe, and shall be of such design, character, color combinations, color changes, sizes and material as the director may, by [his] rules and regulations, determine to afford the greatest security to the state. It shall be the duty of the director to manufacture or contract for revenue stamps required by this chapter; provided that if the stamps are contracted for, the manufacturer thereof shall be within the jurisdiction of the criminal and civil courts of this state, unless the stamps cannot be obtained in this state at a fair price or of acceptable quality. If stamps are manufactured outside of the state, the director shall take any precautions which he deems necessary to safeguard the state against forgery and misdelivery of any stamps. The director may require of the manufacturer from whom stamps are purchased a bond in an amount to be determined by him commensurate with the monetary value of the stamps, containing such conditions as he may deem necessary in order to protect the state against loss.

4. It shall be the intent of this chapter that the impact of the tax levied hereunder be absorbed by the consumer or user and when the tax is paid by any other person, the payment shall be considered as an advance payment and shall thereafter be added to the price of the cigarettes and recovered from the ultimate consumer or user with the person first

selling the cigarettes acting as an agent of the state for the payment and collection of the tax to the state, except that in furtherance of the intent of this chapter no refund of any tax collected and remitted by a retailer upon gross receipts from a sale of cigarettes subject to tax [under] **pursuant to** this chapter shall be claimed [under] **pursuant to** chapter 144, RSMo, for any amount illegally or erroneously overcharged or overcollected as a result of imposition of sales tax by the retailer upon amounts representing”. (Pages inadvertently omitted from distributed copies. Original bill file correct).

On motion of Representative Hoppe, **House Amendment No. 4** was adopted.

Speaker Pro Tem Kreider resumed the Chair.

Representative Boucher offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 18, Section 407.933, Line 24 of said page, by inserting after the word "**violation**" the phrase "**and any subsequent violations involving possession only**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bennett offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

House Substitute Amendment No. 1 for House Amendment No. 5 was withdrawn.

On motion of Representative Boucher, **House Amendment No. 5** was adopted.

Representative Dougherty assumed the Chair.

Representative Monaco offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 19, Section 3, Line 7, by deleting the language “or for a failure to pay any fines or penalties assessed as a result of this section”.

On motion of Representative Monaco, **House Amendment No. 6** was adopted.

Representative Bennett offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 15, Section 407.931, Line 19, by striking the words "twenty-five" and inserting in lieu thereof the following: “[twenty-five] **one hundred**”; and

Further amend said page and section, Line 20, by striking the words "one hundred" and inserting in lieu thereof the following: “[one hundred] **two hundred fifty**”; and

Further amend said page and section, Line 20, by striking the words "one hundred" and inserting in lieu thereof the following: "[two hundred fifty] **five hundred**"; and

Further amend said section, Pages 15 and 16, by deleting Lines 22 through 24 on Page 15, and Line 1 on Page 16, and inserting in lieu thereof the word "dollars."

Speaker Pro Tem Kreider resumed the Chair.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 15, Section 407.931, Line 19, by striking the words "twenty-five" and inserting in lieu thereof the following: "[twenty-five] **one hundred**"; and

Further amend said page and section, Line 20, by striking the words "one hundred" and inserting in lieu thereof the following: "[one hundred] **two hundred fifty**"; and

Further amend said page and section, Line 20, by striking the words "one hundred" and inserting in lieu thereof the following: "[two hundred fifty] **five hundred**".

Representative Monaco moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Alter	Auer	Barnett	Barry 100	Bennett
Berkowitz	Bonner	Boucher 48	Britt	Burton
Campbell	Clayton	Crump	Curls	Davis 122
Days	Dougherty	Enz	Fitzwater	Foley
Ford	Franklin	Froelker	Gambaro	Gaskill
Graham 24	Hagan-Harrell	Harlan	Hendrickson	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Kissell
Lakin	Luetkenhaus	May 108	Mays 50	McKenna
Merideth	Monaco	Myers	O'Toole	Overschmidt
Ransdall	Relford	Riley	Rizzo	Scheve
Selby	Shelton	Skaggs	Thompson	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Mr. Speaker				

NOES: 092

Abel	Akin	Backer	Ballard	Bartle
Berkstresser	Black	Blunt	Boatright	Boykins
Champion	Chrismer	Cierpiot	Crawford	Davis 63
Dolan	Elliott	Evans	Farnen	Foster
Fraser	George	Gibbons	Graham 106	Gratz
Green	Griesheimer	Gross	Gunn	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hohulin
Howerton	Kasten	Kelly 27	Kennedy	King
Klindt	Koller	Kreider	Lawson	Leake

Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
McLuckie	Miller	Murphy	Murray	Naeger
Nordwald	O'Connor	Ostmann	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Robirds
Ross	Sallee	Schilling	Schwab	Scott
Secrest	Seigfreid	Shields	Smith	Summers
Surface	Townley	Tudor	Vogel	Wilson 25
Wilson 42	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Bartelsmeyer	Bray 84	Hickey	Kelley 47	McBride
Stokan	Treadway	Troupe		

VACANCIES: 002

House Amendment No. 7 was withdrawn.

Representative Kelly (27) offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 20, Section 407.934, Lines 9 to 12 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"5. The division of liquor control shall have the authority to inspect stores and tobacco outlets for compliance with all laws related to access of tobacco products to minors; provided that, no person less than eighteen years of age shall be used as either an employee or volunteer for the purposes of inspections or enforcement of tobacco laws."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 8.**

*House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 20, Section 407.934, Lines 9 to 12 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"5. The Department of Public Safety or its designee shall have the authority to inspect stores and tobacco outlets for compliance with all laws related to access of tobacco products to minors; provided that, no person less than eighteen years of age shall be used as either an employee or volunteer for the purposes of inspections or enforcement of tobacco laws without the training by the appropriate department and parental consent."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hosmer moved that **House Substitute Amendment No. 1 for House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Alter	Backer	Barry 100	Bartle	Berkowitz
Bonner	Boucher 48	Bray 84	Britt	Clayton
Crawford	Crump	Curls	Davis 122	Days
Dougherty	Elliott	Fitzwater	Ford	Franklin
Fraser	Gambaro	Gibbons	Hagan-Harrell	Hampton
Harlan	Hartzler 124	Hilgemann	Hohulin	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kennedy
Kissell	Koller	Lakin	Levin	Liese
Luetkenhaus	May 108	McClelland	McLuckie	Merideth
Monaco	Naeger	O'Toole	Ostmann	Overschmidt
Parker	Pryor	Ransdall	Relford	Ridgeway
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Skaggs	Smith	Treadway	Tudor
Van Zandt	Wagner	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 082

Abel	Ballard	Barnett	Bennett	Berkstresser
Black	Blunt	Boatright	Boykins	Burton
Campbell	Champion	Chrismer	Davis 63	Dolan
Enz	Evans	Farnen	Foley	Foster
Froelker	Gaskill	George	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hanaway	Hartzler 123	Hegeman	Hendrickson	Hickey
Holand	Kasten	Kelly 27	King	Klindt
Kreider	Lawson	Leake	Legan	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
Mays 50	McKenna	Miller	Murphy	Murray
Myers	Nordwald	O'Connor	Patek	Phillips
Pouche 30	Purgason	Reid	Reinhart	Reynolds
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shelton	Shields	Summers	Surface
Thompson	Townley	Troupe	Vogel	Ward
Wiggins	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 007

Akin	Auer	Bartelsmeyer	Cierpiot	McBride
Richardson	Stokan			

VACANCIES: 002

Representative Riback Wilson (25) offered **House Substitute Amendment No. 2 for House Amendment No. 8**.

House Substitute Amendment No. 2
for
House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 20, Section 407.934, Lines 9 to 12 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"5. The division of liquor control shall have the authority to inspect stores and tobacco outlets for compliance with all laws related to access of tobacco products to minors; provided that, no person less than eighteen years of age shall be used as either an employee or volunteer for the purposes of inspections or enforcement of tobacco laws. The Provisions of this subsection shall become effective July 1, 2001."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Riback Wilson (25), **House Substitute Amendment No. 2 for House Amendment No. 8** was adopted by the following vote:

AYES: 086

Alter	Auer	Backer	Bartle	Bennett
Berkowitz	Black	Boatright	Boucher 48	Boykins
Bray 84	Britt	Crawford	Crump	Curls
Davis 122	Days	Dougherty	Fitzwater	Franklin
Fraser	Froelker	Gambaro	Gibbons	Graham 24
Gratz	Gross	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hilgemann
Hohulin	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kennedy	Kissell	Koller	Lakin
Levin	Liese	Linton	Luetkenhaus	Marble
May 108	McBride	McClelland	McLuckie	Merideth
Miller	Monaco	Naeger	O'Toole	Ostmann
Overschmidt	Parker	Patek	Purgason	Ransdall
Reinhart	Reynolds	Riley	Sallee	Scheve
Schilling	Seigfreid	Selby	Shelton	Shields
Smith	Thompson	Tudor	Van Zandt	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 067

Abel	Barnett	Barry 100	Berkstresser	Blunt
Bonner	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Davis 63	Dolan	Elliott
Enz	Evans	Farnen	Foley	Ford
Foster	Gaskill	George	Graham 106	Green
Griesheimer	Gunn	Hanaway	Hickey	Holand
Kasten	Kelly 27	King	Klindt	Kreider
Lawson	Legan	Lograsso	Long	Loudon
Luetkemeyer	Mays 50	McKenna	Murphy	Murray
Myers	Nordwald	O'Connor	Phillips	Pouche 30
Pryor	Reid	Relford	Ridgeway	Rizzo
Robirds	Ross	Schwab	Scott	Secrest
Summers	Surface	Townley	Treadway	Vogel
Wiggins	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Akin	Ballard	Bartelsmeyer	Leake	Richardson
Skaggs	Stokan	Troupe		

VACANCIES: 002

Representative George offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 20, Section 407.933, Line 16, by inserting immediately following said line the following:

“Section 1. Notwithstanding the provisions of subsections 2 through 9 of section 197.071 to the contrary, any person or entity authorized by the director of revenue to affix or imprint a tax stamp on packages of cigarettes may affix or imprint such tax stamp upon any package of cigarettes manufactured and imported into the United States before January 1, 2000 that comply with the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. Section 1333 when such person or entity has certified to the director of revenue that the “tobacco product manufacturer”, as such term is defined pursuant to section 196.1000 RSMo, is in compliance with the provisions of section 196.1003, RSMo relating to the escrowing of funds from the sale of cigarettes in this state by a tobacco product manufacturer.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative George moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 025

Auer	Bonner	Burton	Cierpiot	Davis 63
Foley	Ford	George	Gibbons	Green
Hanaway	Hendrickson	Koller	Levin	Loudon
Murray	Parker	Pryor	Purgason	Reynolds
Rizzo	Secrest	Shelton	Summers	Wagner

NOES: 123

Abel	Alter	Backer	Barnett	Barry 100
Bartle	Bennett	Berkowitz	Berkstresser	Black
Blunt	Boatright	Boucher 48	Boykins	Britt
Campbell	Champion	Chrismer	Clayton	Crawford
Crump	Curls	Davis 122	Days	Dolan
Dougherty	Enz	Evans	Farnen	Fitzwater
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	Graham 106	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Kreider	Lakin
Lawson	Leake	Legan	Liese	Linton
Long	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Miller	Monaco	Murphy	Myers	Naeger
Nordwald	O'Connor	Overschmidt	Patek	Phillips
Pouche 30	Ransdall	Reinhart	Relford	Richardson

Riley	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Seigfreid	Selby
Shields	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Tudor	Van Zandt	Vogel
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

PRESENT: 001

Reid

ABSENT WITH LEAVE: 012

Akin	Ballard	Bartelsmeyer	Bray 84	Elliott
Lograsso	Merideth	O'Toole	Ostmann	Ridgeway
Stokan	Troupe			

VACANCIES: 002

Representative Gaskill offered **House Amendment No. 10.**

Representative Wagner raised a point of order that **House Amendment No. 10** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative May (108) offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 4, Section 149.015.5, Line 9, by adding the following new sentence:

“Notwithstanding anything in this chapter to the contrary, no such stamp need be attached to a package of cigarettes transported in the state between distributors unless and until such package is sold to a retailer or consumer.”.

Representative May (108) moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Burton offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 12, Section 407.929, Line 20, by removing the current Section 407.929.1 and replacing with new language:

407.929 “1. A person selling Tobacco products on rolling papers or distributing Tobacco products samples shall require proof of age from a prospective purchaser or recipient may be under the age of 23.”

HCS HBs 1652 & 1433, with House Amendment No. 11 and HS, as amended, pending,
was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HB 1305 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 530 - Criminal Law

SCS SB 721 - Consumer Protection and Housing

SB 760 - Local Government and Related Matters

SB 771 - Commerce

SB 774 - Judiciary

SS SB 813 - Public Safety and Law Enforcement

SB 936 - Ways and Means

SB 974 - Public Health

SB 1049 - Utilities Regulation

SB 1053 - Motor Vehicle and Traffic Regulations

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1120**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 1547**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HB 1481 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HB 1615 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1159**, begs leave to report it has examined the same and recommends that it **Do Pass**.

On motion of Representative Crump, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Abel.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 986

through

House Resolution No. 999 - Representative Treadway

THIRD READING OF HOUSE BILLS - CONSENT

HB 1685, relating to shampoo assistants, was placed on the Informal Calendar.

HB 1454, relating to tax credits, was taken up by Representative Hoppe.

Speaker Gaw resumed the Chair.

Representative Reid requested a division of the question on **HB 1454**.

The division of the question was denied by the Chair.

Representative Abel resumed the Chair.

On motion of Representative Hoppe, **HB 1454** was read the third time and passed by the following vote:

AYES: 126

Abel	Auer	Backer	Barnett	Barry 100
Bartle	Bennett	Berkowitz	Berkstresser	Black
Blunt	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hegeman
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kennedy	King	Kissell	Klindt	Koller

Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Pouche 30	Pryor
Ransdall	Reinhart	Relford	Reynolds	Richardson
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 018

Boatright	Chrismer	Cierpiot	Foster	Gibbons
Hartzler 123	Hartzler 124	Hendrickson	Hohulin	Holand
Howerton	Kelley 47	McClelland	Murphy	Phillips
Purgason	Reid	Ridgeway		

PRESENT: 009

Alter	Ballard	Champion	Elliott	Hanaway
Long	Loudon	Schwab	Secrest	

ABSENT WITH LEAVE: 008

Akin	Bartelsmeyer	Kasten	Kelly 27	Linton
Lograsso	Scott	Stokan		

VACANCIES: 002

Representative Abel declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Fraser moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair

Representative Scheve assumed the Chair.

HB 1499, relating to liquor licenses, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HB 1499** was read the third time and passed by the following vote:

AYES: 105

Abel	Auer	Backer	Barry 100	Berkowitz
Berkstresser	Black	Blunt	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Evans	Farnen
Fitzwater	Foley	Franklin	Fraser	Gambara
George	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hegeman	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Legan	Liese	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Reinhart	Relford	Reynolds	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Surface	Thompson	Townley	Treadway	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 038

Alter	Ballard	Barnett	Bartle	Boatright
Champion	Chrismer	Cierpiot	Crawford	Enz
Ford	Foster	Froelker	Gaskill	Hartzler 123
Hartzler 124	Hendrickson	Hohulin	Holand	Kelley 47
King	Klindt	Levin	Myers	Nordwald
Phillips	Pryor	Purgason	Ransdall	Ridgeway
Schilling	Scott	Shields	Skaggs	Smith
Summers	Troupe	Williams 121		

PRESENT: 011

Bennett	Elliott	Gibbons	Howerton	Long
Loudon	Luetkemeyer	Murphy	Pouche 30	Reid
Richardson				

ABSENT WITH LEAVE: 007

Akin	Bartelsmeyer	Kasten	Kelly 27	Linton
Lograsso	Stokan			

VACANCIES: 002

Representative Scheve declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Selby moved that the vote by which the bill passed be reconsidered.

Representative Wagner moved that motion lay on the table.

The latter motion prevailed.

HB 1631, relating to liquor control, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HB 1631** was read the third time and passed by the following vote:

AYES: 129

Abel	Alter	Auer	Backer	Barnett
Barry 100	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Chrismer	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Pryor	Purgason	Relford	Reynolds
Richardson	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 021

Ballard	Bartle	Boatright	Champion	Cierpiot
Enz	Graham 106	Hartzler 124	Hendrickson	Hohulin
Howerton	Kelley 47	Phillips	Pouche 30	Ransdall
Ridgeway	Schilling	Skaggs	Smith	Summers
Williams 121				

PRESENT: 003

Bennett	Reid	Scott
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ABSENT WITH LEAVE: 008

Akin	Bartelsmeyer	Kasten	Kelly 27	Linton
Lograsso	Reinhart	Stokan		

VACANCIES: 002

Representative Scheve declared the bill passed.

On motion of Representative Kissell, title to the bill was agreed to.

Representative Gambaro moved that the vote by which the bill passed be reconsidered.

Representative Hollingsworth moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

HB 1579, relating to liquor licenses, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HB 1579** was read the third time and passed by the following vote:

AYES: 135

Abel	Alter	Auer	Backer	Barnett
Barry 100	Bennett	Berkowitz	Berkstresser	Black
Blunt	Boatright	Bonner	Boucher 48	Boykins
Bray 84	Britt	Burton	Campbell	Champion
Chrismer	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Richardson	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Wagner	Ward
Wiggins	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 017

Ballard	Bartle	Cierpiot	Froelker	Hanaway
Hartzler 124	Hohulin	Kelley 47	Merideth	Murphy
Pouche 30	Reynolds	Ridgeway	Schilling	Smith
Williams 121	Wright			

PRESENT: 001

Scott

ABSENT WITH LEAVE: 008

Akin	Bartelsmeyer	Kasten	Kelly 27	Liese
Linton	Stokan	Vogel		

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Seigfreid, title to the bill was agreed to.

Representative Skaggs moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

HB 1597, relating to insurance, was taken up by Representative Auer.

On motion of Representative Auer, **HB 1597** was read the third time and passed by the following vote:

AYES: 147

Abel	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 006

Berkstresser	Cierpiot	Hohulin	Murphy	Purgason
Ridgeway				

PRESENT: 000

ABSENT WITH LEAVE: 008

Akin	Bartelsmeyer	Harlan	Kasten	Kelly 27
Linton	Stokan	Vogel		

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

Representative May (108) assumed the Chair.

HB 1284, relating to ambulance district board members, was taken up by Representative Kissell.

On motion of Representative Kissell, **HB 1284** was read the third time and passed by the following vote:

AYES: 086

Abel	Auer	Backer	Barry 100	Bennett
Berkowitz	Bonner	Boucher 48	Boykins	Bray 84
Britt	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hampton
Harlan	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 062

Alter	Ballard	Barnett	Bartle	Berkstresser
Black	Boatright	Burton	Champion	Cierpiot
Crawford	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kelley 47	King	Klindt
Legan	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 007

Blunt	Chrismer	Gross	Levin	Ostmann
Patek	Summers			

ABSENT WITH LEAVE: 006

Akin	Bartelsmeyer	Kasten	Kelly 27	Linton
Stokan				

VACANCIES: 002

Representative May (108) declared the bill passed.

On motion of Representative Berkowitz, title to the bill was agreed to.

Representative Luetkenhaus moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

HB 1659, relating to local economic development sales tax, was taken up by Representative Summers.

On motion of Representative Summers, **HB 1659** was read the third time and passed by the following vote:

AYES: 100

Abel	Alter	Backer	Ballard	Barnett
Bartle	Bennett	Berkowitz	Berkstresser	Black
Boatright	Burton	Champion	Chrismer	Clayton
Crawford	Davis 122	Dolan	Elliott	Enz
Evans	Farnen	Fitzwater	Foster	Franklin
Fraser	Froelker	Gaskill	George	Gibbons
Graham 106	Graham 24	Griesheimer	Gross	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hilgemann	Hohulin	Holand	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	King	Klindt
Lakin	Legan	Levin	Liese	Long
Loudon	Luetkemeyer	Marble	May 108	Mays 50
McClelland	Merideth	Miller	Murphy	Murray
Myers	Naeger	Nordwald	Ostmann	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reinhart	Relford	Reynolds	Richardson
Rizzo	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Troupe	Tudor	Vogel	Ward
Wiggins	Williams 159	Wilson 25	Wright	Mr. Speaker

NOES: 018

Blunt	Bonner	Britt	Cierpiot	Green
Hagan-Harrell	Hendrickson	Lograsso	Monaco	Reid
Ridgeway	Scheve	Schilling	Seigfreid	Selby
Shelton	Smith	Wagner		

PRESENT: 033

Barry 100	Boucher 48	Boykins	Bray 84	Campbell
Crump	Curls	Davis 63	Days	Dougherty
Foley	Gambaro	Gratz	Gunn	Hollingsworth
Kennedy	Kissell	Koller	Kreider	Luetkenhaus
McBride	McKenna	McLuckie	O'Connor	O'Toole
Overschmidt	Riley	Skaggs	Thompson	Treadway
Van Zandt	Williams 121	Wilson 42		

ABSENT WITH LEAVE: 010

Akin	Auer	Bartelsmeyer	Ford	Harlan
Kelly 27	Lawson	Leake	Linton	Stokan

VACANCIES: 002

Representative May (108) declared the bill passed.

On motion of Representative Clayton, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Davis (122) moved that motion lay on the table.

The latter motion prevailed.

Representative Monaco resumed the Chair.

HB 1340, relating to transient guest tax, was taken up by Representative Klindt.

Representative Klindt moved that **HB 1340** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 076

Abel	Alter	Ballard	Barnett	Bennett
Berkstresser	Black	Boatright	Burton	Champion
Chrismer	Cierpiot	Crawford	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Foster
Franklin	Fraser	Froelker	Gaskill	Gibbons
Graham 106	Gratz	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hilgemann
Holand	Hoppe	Kasten	Kelley 47	King
Klindt	Kreider	Lakin	Legan	Levin
Loudon	Luetkemeyer	Marble	McClelland	Merideth
Miller	Murphy	Myers	Naeger	Ostmann
Parker	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Robirds	Ross	Sallee
Schwab	Secrest	Seigfreid	Shields	Summers
Surface	Townley	Tudor	Vogel	Ward
Wright				

NOES: 032

Barry 100	Bartle	Blunt	Bonner	Britt
Davis 63	Foley	Gambaro	Graham 24	Hagan-Harrell
Hohulin	Hollingsworth	Hosmer	Howerton	Kissell
Liese	Lograsso	May 108	Mays 50	Monaco
Patek	Reid	Riley	Rizzo	Scheve
Schilling	Scott	Selby	Shelton	Smith
Troupe	Williams 159			

PRESENT: 036

Backer	Berkowitz	Boucher 48	Bray 84	Campbell
Clayton	Crump	Curls	Davis 122	Days
Fitzwater	George	Green	Hampton	Hickey
Kennedy	Koller	Luetkenhaus	McBride	McKenna
McLuckie	Murray	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Thompson	Treadway
Van Zandt	Wiggins	Williams 121	Wilson 25	Wilson 42
Mr. Speaker				

ABSENT WITH LEAVE: 017

Akin	Auer	Bartelsmeyer	Boykins	Ford
Gunn	Harlan	Kelly 27	Lawson	Leake
Linton	Long	Nordwald	Ridgeway	Skaggs
Stokan	Wagner			

VACANCIES: 002

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1113 - Budget

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 34, introduced by Representative Clayton, to allow the Committee on Legislative Research to prepare the 2000 Session laws.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 1121, introduced by Representative Franklin, to appropriate money for expenses, grants, distributions and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2000 and ending June 30, 2001.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2152, introduced by Representative Ridgeway, relating to the definition of value.

HB 2153, introduced by Representative Ridgeway, relating to mechanics' and materialmen's liens.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, April 6, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-eighth Day, Tuesday, April 4, 2000, page 823, by inserting immediately after line 29 the following:

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SBs 617 & 646 - Civil and Administrative Law

Page 824, by deleting lines 4 - 6, and inserting in lieu thereof the following:

HCR 33, introduced by Representatives Ostmann, Luetkenhaus, Dolan, Bennett, Chrismer, Kissell and Gross, to oppose the federal Drug Enforcement Administration's decision to cut off state funding to cover the cost of cleaning up clandestine drug laboratories.

Pages 799 and 800, roll call, by showing Representatives Griesheimer and Nordwald voting "aye" rather than "absent with leave".

Page 815, roll call, by showing Representative Liese voting "aye" rather than "absent with leave".

Pages 822 and 823, roll call, by showing Representative Gaw voting "no" rather than "absent with leave".

Pages 822 and 823, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CIVIL AND ADMINISTRATIVE LAW

Thursday, April 6, 2000. Side gallery immediately upon adjournment.
Executive Session.

CONSUMER PROTECTION AND HOUSING

Thursday, April 6, 2000, 8:30 am. Hearing Room 4.
Executive Session.

CORRECTIONAL AND STATE INSTITUTIONS

Thursday, April 6, 2000, 9:30 am. Hearing Room 3.
Executive Session to follow.
To be considered - SB 1018, SB 1036

CRITICAL ISSUES

Monday, April 10, 2000, 8:00 pm. Hearing Room 3.
To be considered - Executive Session - SB 576, Executive Session - SB 856

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, April 6, 2000, 9:00 am. Hearing Room 1.
Executive Session. AMENDED.
To be considered - HB 1686, SB 573

EDUCATION - ELEMENTARY AND SECONDARY

Monday, April 10, 2000, 12:30 pm. Hearing Room 1.
To be considered - HB 2118, SB 754, SB 877, Executive Session - SB 754,
Executive Session - SB 877

ENVIRONMENT AND ENERGY

Thursday, April 6, 2000, 8:30 am. Hearing Room 7.
Executive Session may follow.
To be considered - HB 2136, SB 558

FISCAL REVIEW

Thursday, April 6, 2000, 9:00 am. Hearing Room 5.
Executive Session. To be considered - SB 741

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, April 6, 2000, 9:00 am. Side gallery.
To be considered - Executive Session - HB 2056, Executive Session - SB 765,
Executive Session - SB 907

MUNICIPAL CORPORATIONS

Wednesday, April 12, 2000. Hearing Room 4 upon morning adjournment.
To be considered - HB 1286, HB 2133

PUBLIC HEALTH

Monday, April 10, 2000, 1:30 pm. Side gallery.
Executive Session.

SUBCOMMITTEE ON PUBLIC HEALTH

Wednesday, April 19, 2000, 8:30 am. Hearing Room 4.
Discussing mental health ombudsman legislation.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Thursday, April 6, 2000. Side gallery upon afternoon adjournment.
Executive Session.

UTILITIES REGULATION

Thursday, April 6, 2000, 8:30 am. Hearing Room 6.
To be considered - HB 1778, HB 1842, HB 1895

HOUSE CALENDAR

FIFTIETH DAY, THURSDAY, APRIL 6, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 34

HOUSE BILLS FOR SECOND READING

HB 2152 and HB 2153

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1121

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1652 & 1433, HA 11 and HS, as amended, pending - Hoppe
- 2 HB 1603, HCA 1 and HCA 2 - O'Connor
- 3 HCS HB 1711 - Abel
- 4 HCS HB 1797 - Gratz
- 5 HCS HB 1569 - Bray

- 6 HCS HB 1932 - Harlan
- 7 HCS HB 1967 - Hoppe
- 8 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HB 1472 - Smith
- 5 HCS HB 1574 & 1640 - Britt

HOUSE BILLS FOR THIRD READING

- 1 HS HB 1615, E.C. - Hosmer
- 2 HS HCS HB 1242 - Treadway
- 3 HS HB 1238 - Hoppe
- 4 HS HCS HB 1481 - Smith
- 5 HCS HB 1434 - Skaggs
- 6 HS HCS HB 1305, E.C. (Fiscal Review, 4-5-00) - Rizzo
- 7 HS HCS HB 1677, 1675 & 1676 - Riback Wilson (25)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 1825 - Klindt
- 2 HB 1685 - Smith

SENATE BILL FOR THIRD READING

HCS SS SB 549, E.C. - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTIETH DAY, THURSDAY, APRIL 6, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Lord of Life, we acknowledge that the best things in life are gifts from You. Strengthen our faith. Protect us from discouragement. Keep this House working at the things that matter in the lives of the people of Missouri. Help them to move away from narrow self-interest and, in their work, reflect the highest and best.

Keep their hearts from becoming bitter and hard, and give to them a joy at being alive in Your world this day. To You be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nicole Runco, Kristin Haberberger, Marshall Lee, Elizabeth Laramie, Ankita Gupta, Daniel Perkins, Derek Vogel, Devin Abel, Jodie Prenger, Jeremy Allen, Molly Reich, Dawna Haggett, Jerika Succio, Joseph Scarbrough and Clark Litty.

The Journal of the forty-ninth day was approved as corrected by the following vote:

AYES: 086

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Griesheimer
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kennedy
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Townley
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 070

Akin	Alter	Barnett	Bartle	Bennett
Berkstresser	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker

Gaskill	Gibbons	Graham 106	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Kasten	Kelley 47	King	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Summers	Surface	Tudor	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Ballard	Bartelsmeyer	Howerton	Kelly 27	Stokan
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VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1000
through
House Resolution No. 1013 - Representatives Barry and Hendrickson
House Resolution No. 1014
through
House Resolution No. 1027 - Representatives Hendrickson and Enz
House Resolution No. 1028 - Representative Ostmann
House Resolution No. 1029 - Representative McClelland
House Resolution No. 1030 - Representative Ross
House Resolution No. 1031 - Representative Lakin
House Resolution No. 1032
through
House Resolution No. 1034 - Representative Patek
House Resolution No. 1035 - Representative Farnen
House Resolution No. 1036 - Representative Hartzler (123)
House Resolution No. 1037 - Representative Miller
House Resolution No. 1038 - Representative Froelker
House Resolution No. 1039
and
House Resolution No. 1040 - Representative Pryor
House Resolution No. 1041 - Representative Gambaro
House Resolution No. 1042 - Representative Liese
House Resolution No. 1043 - Representative Harlan
House Resolution No. 1044 - Representative Kelley (47)
House Resolution No. 1045 - Representative Campbell

HOUSE REMONSTRANCE

Representative Bennett, et al, offered House Remonstrance No. 1.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 34 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2152 and **HB 2153** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1121 was read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HBs 1677, 1675 & 1676 - Fiscal Review (Fiscal Note)

THIRD READING OF HOUSE BILLS

HS HB 1615, relating to protection of the elderly, was taken up by Representative Hosmer.

Representative Hosmer offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Substitute for House Bill No. 1615, Page 5, Section 187.032, Line 2, by inserting after the word “**intern,**” the words “**nurse practitioner, physicians’ assistant,**”; and

Further amend said bill, Page 6, Section 187.075, Line 2, by inserting after the word “**intern,**” the words “**nurse practitioner, physicians’ assistant,**”; and

Further amend said bill, Page 12, Section 187.084, Line 24, by deleting the number “**187.046**” and inserting in lieu thereof the number “**187.081**”; and

Further amend said bill, Page 13, Section 187.087, Line 2, by deleting the number “**187.084**” and inserting in lieu thereof the number “**187.081**”; and

Further amend said bill, Page 44, Section 210.936, Line 4, by deleting the number “**187.078**” and inserting in lieu thereof the number “**187.081**”; and

Further amend said bill, Page 46, Section 660.030, Line 2, by inserting after the word “**by**” the words “**section 187.020, RSMo, section 187.032, RSMo,**”; and

Further amend said bill, Page 46, Section 660.030, Line 5, by inserting after the words “**pursuant to**” the words “**section 187.020, RSMo, section 187.032, RSMo,**”.

On motion of Representative Hosmer, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Hosmer, **HS HB 1615, as amended**, was read the third time and passed by the following vote:

AYES: 157

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bartelsmeyer	Kelly 27	Legan	Stokan
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VACANCIES: 002

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106

Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Hendrickson	Hohulin	Lograsso
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PRESENT: 000

ABSENT WITH LEAVE: 006

Bartelsmeyer	Kelly 27	Legan	Myers	Parker
Stokan				

VACANCIES: 002

On motion of Representative Days, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 1242, relating to professional registration, was taken up by Representative Treadway.

On motion of Representative Treadway, **HS HCS HB 1242** was read the third time and passed by the following vote:

AYES: 145

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green

Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Patek	Phillips	Pouche 30	Purgason	Ransdall
Reid	Relford	Reynolds	Richardson	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Smith	Surface
Thompson	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 007

Froelker	Lograsso	Monaco	Pryor	Ridgeway
Summers	Townley			

PRESENT: 002

Boykins	Curls
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ABSENT WITH LEAVE: 007

Bartelsmeyer	Kelly 27	Legan	Parker	Reinhart
Skaggs	Stokan			

VACANCIES: 002

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Kennedy, title to the bill was agreed to.

Representative Luetkenhaus moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

HS HB 1238, relating to delinquent property taxes, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HS HB 1238** was read the third time and passed by the following vote:

AYES: 148

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz

Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Wiggins	Williams 121	Williams 159
Wilson 25	Wright	Mr. Speaker		

NOES: 004

Hartzler 124	Hohulin	Murphy	Reid
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PRESENT: 001

Boykins

ABSENT WITH LEAVE: 008

Bartelsmeyer	Gaskill	Kelly 27	Legan	Murray
Stokan	Ward	Wilson 42		

VACANCIES: 002

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Gambaro, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

Representative Hosmer assumed the Chair.

HS HCS HB 1481, relating to title insurance, was taken up by Representative Smith.

On motion of Representative Smith, **HS HCS HB 1481** was read the third time and passed by the following vote:

AYES: 154

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer	Boykins	Gaskill	Kelly 27	Legan
Pryor	Stokan			

VACANCIES: 002

Representative Hosmer declared the bill passed.

On motion of Representative Riley, title to the bill was agreed to.

Representative Koller moved that the vote by which the bill passed be reconsidered.

Representative Harlan moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1434, relating to regulation of amusement rides, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HCS HB 1434** was read the third time and passed by the following vote:

AYES: 137

Abel	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Kasten	Kelley 47	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Levin	Liese
Long	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pryor	Ransdall
Reid	Reinhart	Relford	Reynolds	Ridgeway
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 014

Akin	Foster	Froelker	Green	Gross
Linton	Lograsso	Loudon	Murphy	Naeger
Pouche 30	Richardson	Robirds	Tudor	

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Boykins	Crump	Harlan	Hosmer
Howerton	Kelly 27	Legan	Purgason	Stokan

VACANCIES: 002

Representative Hosmer declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider resumed the Chair.

PERFECTION OF HOUSE BILL

HCS HBs 1652 & 1433, with House Amendment No. 11 and HS, as amended, pending, relating to sale of tobacco products, was taken up by Representative Hoppe.

Representative Kennedy offered **House Substitute Amendment No. 1 for House Amendment No. 11.**

*House Substitute Amendment No. 1
for
House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 12, Section 407.929, Lines 20-24, by deleting all of said lines, and Page 13, Line 1, by deleting said line and inserting in lieu thereof the following:

407.929 “1. A person selling tobacco products or rolling papers or distributing tobacco product samples shall require proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that such prospective purchaser or recipient may be under the age of 21.”.

On motion of Representative Kennedy, **House Substitute Amendment No. 1 for House Amendment No. 11** was adopted.

Representative Hanaway offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 10, Section 149.071.7(2) & (3), Lines 5-12, by deleting all of said lines.; and

Further amend by renumbering said section.

Representative Hanaway moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Akin	Alter	Ballard	Barnett	Bartle
Bennett	Berkstresser	Black	Boatright	Campbell
Chrismer	Cierpiot	Dolan	Elliott	Enz
Foley	Foster	Froelker	Gaskill	Graham 106
Graham 24	Gross	Hampton	Hanaway	Hartzler 124
Hendrickson	Hohulin	Howerton	Kasten	Kelley 47
Klindt	Koller	Leake	Linton	Loudon
Luetkemeyer	Marble	McBride	McClelland	Merideth
Miller	Myers	Naeger	Ostmann	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Seigfreid
Shields	Summers	Townley	Vogel	Wagner
Wiggins	Williams 159			

NOES: 078

Auer	Backer	Barry 100	Berkowitz	Blunt
Bonner	Boucher 48	Boykins	Britt	Champion
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Evans	Farnen
Fitzwater	Franklin	Fraser	Gambaro	George
Gibbons	Gratz	Green	Griesheimer	Gunn
Hagan-Harrell	Harlan	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Kennedy	King
Kissell	Kreider	Lakin	Lawson	Levin
Liese	Luetkenhaus	May 108	Mays 50	McKenna
McLuckie	Monaco	Murphy	Murray	Nordwald
O'Connor	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Tudor	Ward	Williams 121	Wilson 25
Wilson 42	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 016

Abel	Bartelsmeyer	Bray 84	Burton	Ford
Hartzler 123	Hegeman	Kelly 27	Legan	Lograsso
Long	Parker	Stokan	Surface	Troupe
Van Zandt				

VACANCIES: 002

Representative Bennett offered **House Amendment No. 13**.

House Amendment No. 13 was withdrawn.

Representative Bennett offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 15, Section 407.931, Line 16, by inserting after the word “**operator**” the words “**including owners and operators of tobacco vending machines**”; and

Further amend said bill, Page 15, Section 407.927, Line 12, by inserting after the word “**or**” the word “**sell**”, and insert in lieu thereof the following: “**is guilty of an infraction, shall have any cigarettes or tobacco products confiscated and the court may order such person to complete a term of community service, preferably in a situation where the person would see the causal effects of tobacco use, under supervision of the court or an organization selected by the court.**”; and

Further amend said bill, Page 15, Section 407.931, Line 21, by deleting the words “and subsequent”.

On motion of Representative Bennett, **House Amendment No. 13** was adopted.

Representative Shields offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 20, Section 407.934, Line 16, by inserting the following section:

“Section 1. The Missouri Department of Revenue and tobacco wholesalers located in this state shall establish a pilot program to establish a more efficient method of stamping tobacco products and collecting taxes on tobacco products.”; and

Further amend title and enacting clause.

Representative Hosmer raised a point of order that **House Amendment No. 14** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Shields, **House Amendment No. 14** was adopted.

Representative Hosmer offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 20, Section 407.934, Line 16 of said page, by inserting after all of said line the following:

"Section 1. No tobacco product manufacturer shall sell smokeless tobacco products in this state unless such manufacturer is a participating tobacco product manufacturer pursuant to the November 23, 1998, tobacco master settlement agreement or pays into the qualified escrow fund pursuant to section 196.1003, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hosmer, **House Amendment No. 15** was adopted.

Representative Reid offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 9, Section 149.071, Line 9, by inserting after the word “who” the following: “Intentionally or knowingly”.

On motion of Representative Reid, **House Amendment No. 16** was adopted.

Representative Blunt offered **House Amendment No. 17**.

Representative Hosmer raised a point of order that **House Amendment No. 17** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Purgason offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 19, Section 407.933, Line 9 of said page, by adding after all of said line the following:

“4. When any person is charged with a violation of this section, the agency issuing the charge shall also notify the parent, legal custodian or guardian of the person being charged.”

On motion of Representative Purgason, **House Amendment No. 17** was adopted.

Representative Shields offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 4, Section 149.015, Line 22, by deleting all the language remaining in said section after the word “Basis”.

Representative Shields moved that **House Amendment No. 18** be adopted.

Which motion was defeated.

On motion of Representative Hoppe, **HS HCS HBs 1652 & 1433, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS HBs 1652 & 1433, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 27 - Federal-State Relations and Veterans Affairs

HCR 28 - Urban Affairs

HCR 29 - Environment and Energy

HCR 30 - Public Health

HCR 31 - Miscellaneous Bills and Resolutions

HCR 32 - Environment and Energy

HCR 33 - Public Safety and Law Enforcement

COMMITTEE REPORT

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1601**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 1601, Page 1, Section 414.032, Line 8, by deleting the words “**amount and**”.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2154, introduced by Representative Hanaway, relating to trusts for disabled beneficiaries.

HB 2155, introduced by Representative Fraser, relating to public school teacher retirement.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 597**, entitled:

An act to repeal section 453.030, RSMo Supp. 1999, relating to adoption, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 867 & 552**, entitled:

An act to repeal sections 135.500, 135.503 and 135.516, RSMo Supp. 1999, relating to tax credit programs, and to enact in lieu thereof twenty-four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 944**, entitled:

An act to repeal section 568.050, RSMo 1994, and sections 160.261, 167.117 and 170.250, RSMo Supp. 1999, relating to weapons at public schools, and to enact in lieu thereof seven new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1017**, entitled:

An act to repeal sections 226.133 and 226.134, RSMo 1994, relating to bonding for transportation, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 2:00 p.m., Monday, April 10, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-ninth Day, Wednesday, April 5, 2000, pages 829 and 830, roll call, by showing Representative Crawford voting "no" rather than "absent with leave".

Pages 831 and 832, roll call, by showing Representative Barry voting "no" rather than "absent with leave".

Pages 837 and 838, roll call, by showing Representative Bray voting "no" rather than "absent with leave".

Pages 840 and 841, roll call, by showing Representative Koller voting "no" rather than "aye".

Pages 841 and 842, roll call, by showing Representative Merideth voting "aye" rather than "absent with leave".

Pages 841 and 842, roll call, by showing Representative Bray voting "no" rather than "absent with leave".

Page 847, roll call, by showing Representative Reinhart voting "aye" rather than "absent with leave".

Page 848, roll call, by showing Representative Liese voting "aye" rather than "absent with leave".

Pages 850 and 851, roll call, by showing Representative Ostmann voting "aye" rather than "absent with leave".

Pages 852 and 853, roll call, by showing Representative Boykins voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Tuesday, April 11, 2000, 8:30 am. Hearing Room 3.
To be considered - HB 1113, HB 1121

CHILDREN, YOUTH AND FAMILIES

Tuesday, April 11, 2000, 8:30 am. Hearing Room 1.
To be considered - HB 2134

COMMERCE

Monday, April 10, 2000. Hearing Room 7 upon evening adjournment.

Executive Session to follow.

To be considered - SB 753, SB 771, SB 1037

CONSUMER PROTECTION

Tuesday, April 11, 2000, 6:00 pm. Hearing Room 1.

To be considered - SB 721

CRITICAL ISSUES

Monday, April 10, 2000, 8:00 pm. Hearing Room 3. AMENDED.

To be considered - HB 1168, Executive Session - SB 576, Executive Session - SB 856

EDUCATION - ELEMENTARY AND SECONDARY

Monday, April 10, 2000, 12:30 pm. Hearing Room 1.

To be considered - HB 2118, SB 754, SB 877, Executive Session - SB 754,

Executive Session - SB 877

EDUCATION - HIGHER

Monday, April 10, 2000. Side gallery upon adjournment.

Executive Session.

To be considered - SB 910, SB 953, SB 961

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, April 10, 2000, 8:00 pm. Hearing Room 1.

Executive Session may follow.

To be considered - HCR 27

FISCAL REVIEW

Tuesday, April 11, 2000, 9:00 am. Hearing Room 7.

Executive Session.

To be considered - HB 1305, HB 1677

GOVERNMENTAL ORGANIZATION AND REVIEW

Monday, April 10, 2000. Side gallery upon adjournment.

Executive Session.

To be considered - SB 788, SCR 21

JUDICIARY

Tuesday, April 11, 2000. Hearing Room 5 upon morning adjournment.

Executive Session to follow.

To be considered - SB 556, SB 669, SB 746, SB 774

LABOR

Tuesday, April 11, 2000. Side gallery upon morning adjournment.

To be considered - Executive Session - SB 709, Executive Session - SB 734

MUNICIPAL CORPORATIONS

Wednesday, April 12, 2000. Hearing Room 4 upon morning adjournment.

To be considered - HB 1286, HB 2133

PROFESSIONAL REGISTRATION AND LICENSING

Monday, April 10, 2000, 1:30 pm. Room 401.

Executive Session.

To be considered - SB 663, SB 883, SB 921

PUBLIC HEALTH

Monday, April 10, 2000, 1:30 pm. Side gallery.

Executive Session.

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, April 11, 2000, 8:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 2123, HCR 33, SB 813

RETIREMENT

Monday, April 10, 2000. Hearing Room 4 upon adjournment.

Executive Session.

To be considered - HB 2090, SB 616, SB 642, SB 821, SB 922, SB 975, SB 1013, SB 1015

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Monday, April 10, 2000. Hearing Room 5 upon adjournment.

To be considered - SB 810

SUBCOMMITTEE - APPROPRIATIONS, DEPARTMENT OF CORRECTIONS

Tuesday, April 11, 2000. Hearing Room 2A & 2B upon afternoon adjournment.

Department of Corrections issues.

SUBCOMMITTEE ON PUBLIC HEALTH

Wednesday, April 19, 2000, 8:30 am. Hearing Room 4.

Discussing mental health ombudsman legislation.

URBAN AFFAIRS

Tuesday, April 11, 2000, 1:30 pm. Hearing Room 2.

Executive Session to follow.

To be considered - HCR 28

WAYS AND MEANS

Tuesday, April 11, 2000, 1:00 pm. Hearing Room 6.

Executive Session may follow. AMENDED.

To be considered - SB 743, SB 936, SB 1042

HOUSE CALENDAR

FIFTY-FIRST DAY, MONDAY, APRIL 10, 2000

HOUSE BILLS FOR SECOND READING

HB 2154 and HB 2155

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HB 1603, HCA 1 and HCA 2 - O'Connor
- 2 HCS HB 1711 - Abel
- 3 HCS HB 1797 - Gratz
- 4 HCS HB 1569 - Bray
- 5 HCS HB 1932 - Harlan
- 6 HCS HB 1967 - Hoppe
- 7 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HB 1472 - Smith
- 5 HCS HB 1574 & 1640 - Britt

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1305, E.C. (Fiscal Review, 4-5-00) - Rizzo
- 2 HS HCS HB 1677, 1675 & 1676, (Fiscal Review, 4-6-00) - Riback Wilson (25)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 1825 - Klindt
- 2 HB 1685 - Smith

SENATE BILLS FOR SECOND READING

- 1 SCS SB 597
- 2 SS SCS SB 867 & 552
- 3 SB 944
- 4 SB 1017

SENATE BILL FOR THIRD READING

HCS SS SB 549, E.C. - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTY-FIRST DAY, MONDAY, APRIL 10, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, as we pray, help us to place our actions in harmony with Your will. We are ashamed that we have done so little with so much, yet we press on to do better. Give us a sense of what is vital in life, lest we squander our days on inflated trifles.

Bless our Nation. Bless our State. Bless this House.

And to You be glory and honor, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fiftieth day was approved as corrected by the following vote:

AYES: 088

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	George	Graham 24	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Harlan
Hegeman	Hickey	Hilgemann	Hollingsworth	Hosmer
Kelly 27	Kennedy	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 066

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Gaskill	Gibbons	Graham 106	Gross
Hanaway	Hartzler 123	Hendrickson	Hohulin	Holand
Howerton	Kasten	Kelley 47	King	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Naeger	Ostmann	Patek	Phillips

Pouche 30	Purgason	Reinhart	Richardson	Ridgeway
Robirds	Ross	Schwab	Scott	Secrest
Shields	Summers	Townley	Tudor	Vogel
Wright				

PRESENT: 001

Reid

ABSENT WITH LEAVE: 006

Hartzler 124	Hoppe	Nordwald	Pryor	Sallee
Stokan				

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1046 - Representatives Riley, Wilson (42) and Curls
House Resolution No. 1047 - Representatives Fraser and Bray
House Resolution No. 1048 - Representative Gunn, et al
House Resolution No. 1049 - Representative Backer
House Resolution No. 1050 - Representative Williams (159)
House Resolution No. 1051 - Representative Long
House Resolution No. 1052 - Representative Patek
House Resolution No. 1053
and
House Resolution No. 1054 - Representative Fitzwater
House Resolution No. 1055
through
House Resolution No. 1068 - Representative Cierpiot
House Resolution No. 1069 - Representative Harlan
House Resolution No. 1070 - Representatives Riback Wilson (25), Harlan,
Graham (24) and Farnen
House Resolution No. 1071 - Representative Williams (121)

SECOND READING OF HOUSE BILLS

HB 2154 and **HB 2155** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 597, **SS SCS SBs 867 & 552**, **SB 944** and **SB 1017** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1652 & 1433**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HBs 1652 & 1433 - Fiscal Review (Fiscal Note)

PERFECTION OF HOUSE BILLS

HB 1603, with House Committee Amendment No. 1 and House Committee Amendment No. 2, relating to motor vehicle franchise practices, was taken up by Representative O'Connor.

Representative May (108) offered **HS HB 1603**.

Representative May (108) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1603, Page 13, Section 407.822.2, Line 2, by inserting the word "if" after the word "that" and before the word "such".

Speaker Pro Tem Kreider assumed the Chair.

On motion of Representative May (108), **House Amendment No. 1** was adopted.

Representative Luetkenhaus offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 1603, Page 9, Section 407.817, Line 15 of said page, by inserting after all of said line the following:

"6. The provisions of this section shall not apply to recreational motor vehicles, as defined in section 301.010, RSMo, or recreational motor vehicle franchisors or franchisees."; and

Further amend said bill, Page 33, Section 407.825, Line 6 of said page, by inserting immediately after the letter "(f)" the following: **"and subdivisions (17), (18), (19) and (20)";** and

Further amend said bill, Page 37, Section 407.923, Line 20 of said page, by inserting after all of said line the following:

"6. The provisions of this section shall not apply to recreational motor vehicles, as defined in section 301.010, RSMo, or recreational motor vehicle franchisors or franchisees."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Luetkenhaus, **House Amendment No. 2** was adopted.

Representative O'Connor offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Bill No. 1603, Page 33, Section 407.826, Line 15 of said page, by inserting immediately after the word "**products.**" the following:

"As used in this section, the term "factory" shall not mean a person that is primarily engaged in the business of rental of motor vehicles and activities incidental to that business if all of the following conditions are satisfied:

(1) Vehicles sold by such person are limited to used motor vehicles that have been previously used exclusively and regularly by such person in the conduct of business, and used motor vehicles traded in on motor vehicles sold by such person;

(2) Warranty repairs performed by such person on motor vehicles are limited to those motor vehicles that are owned, previously owned or taken in trade by such person; and

(3) Motor vehicle financing provided by such person to retail consumers for motor vehicles is limited to vehicles sold by such person in the conduct of business."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative O'Connor, **House Amendment No. 3** was adopted.

Representative Griesheimer offered **House Amendment No. 4**.

House Amendment No. 4 was withdrawn.

Representative Campbell offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Bill No. 1603, Page 37, Section 407.826, Line 20, by inserting after all of said line the following:

"578.100. 1. Whoever engages on Sunday in the business of selling or sells or offers for sale on such day, at retail, [motor vehicles;] clothing and wearing apparel; clothing accessories; furniture; housewares; home, business or office furnishings; household, business or office appliances; hardware; tools; paints; building and lumber supply materials; jewelry; silverware; watches; clocks; luggage; musical instruments and recordings or toys; excluding novelties and souvenirs; is guilty of a misdemeanor and shall upon conviction for the first offense be sentenced to pay a fine of not exceeding one hundred dollars, and for the second or any subsequent offense be sentenced to pay a fine of not exceeding two hundred dollars or undergo confinement not exceeding thirty days in the county jail in default thereof.

2. Each separate sale or offer to sell shall constitute a separate offense.

3. Information charging violations of this section shall be brought within five days after the commission of the alleged offense and not thereafter.

4. The operation of any place of business where any goods, wares or merchandise are sold or exposed for sale in violation of this section is hereby declared to be a public and common nuisance.

5. Any county of this state containing all or part of a city with a population of over four hundred thousand may exempt itself from the application of this section by submission of the proposition to the voters of the county at a general election or a special election called for that purpose, and the proposition receiving a majority of the votes cast therein. The proposal to exempt the county from the provisions of this section shall be submitted to the voters of the county upon a majority vote of the governing body of the county or when a petition requesting the submission of the proposal to the voters and signed by a number of qualified voters residing in the county equal to eight percent of the votes cast in the

county in the next preceding gubernatorial election is filed with the governing body of the county. The ballot of submission shall contain, but not be limited to, the following language:

FOR the exemption of county from the Sunday sales law
 AGAINST the exemption of county from the Sunday sales law

If a majority of the votes cast on the proposal by the qualified voters voting thereon in the county are in favor of the proposal, then the provisions of this section shall no longer apply within that county. If a majority of the votes cast on the proposal by the qualified voters voting thereon in the county are opposed to the proposal, then the provisions of this section shall continue to apply and be enforced within that county. The exemption of any county from the provisions of this section shall not become effective in that county until the results of the vote exempting the county have been filed with the secretary of state and with the revisor of statutes and have been certified as received by those officers. The revisor of statutes shall note which counties are exempt from the provisions of this section in the Missouri revised statutes.

6. In addition to any other method of exemption provided by law, the governing body of any county of this state may exempt itself from the application of this section by order or ordinance of the governing body of the county after public hearing upon the matter. Such public hearing shall be preceded by public notice which shall, at a minimum, be published at least three different times in the newspaper with the greatest circulation in the county. Upon such order or ordinance becoming effective, such county shall be exempt from the provisions of this section and no election or other method of exemption shall be required. The exemption of any county from the provisions of this section by order or ordinance shall not become effective in that county until the order or ordinance has been filed with the secretary of state and the revisor of statutes and has been certified as received by those officers. The revisor of statutes shall note which counties are exempt from the provisions of this section in the Missouri revised statutes.

[578.120. 1. Notwithstanding any provision in this chapter to the contrary, no dealer, distributor or manufacturer licensed under section 301.559, RSMo, may keep open, operate, or assist in keeping open or operating any established place of business for the purpose of buying, selling, bartering or exchanging, or offering for sale, barter or exchange, any motor vehicle, whether new or used, on Sunday. However, this section does not apply to the sale of manufactured housing; the sale of recreational motor vehicles; washing, towing, wrecking or repairing operations; the sale of petroleum products, tires, and repair parts and accessories; or new vehicle shows or displays participated in by five or more franchised dealers or in towns or cities with five or fewer dealers, a majority.

2. No association consisting of motor vehicle dealers, distributors or manufacturers licensed under section 301.559, RSMo, shall be in violation of antitrust or restraint of trade statutes under chapter 416, RSMo, or regulation promulgated thereunder solely because it encourages its members not to open or operate on Sunday a place of business for the purpose of buying, selling, bartering or exchanging any motor vehicle.

3. Any person who violates the provisions of this section shall be guilty of a class C misdemeanor.]" and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Campbell moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 017

Backer	Barnett	Bray 84	Campbell	Clayton
Graham 24	Harlan	King	Koller	Legan
McLuckie	Monaco	Pouche 30	Ross	Seigfreid
Van Zandt	Williams 121			

NOES: 126

Abel	Akin	Alter	Auer	Ballard
Barry 100	Bartelsmeyer	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Britt	Burton	Champion	Chrismer	Cierpiot
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford

Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Gratz
Green	Griesheimer	Gross	Gunn	Hampton
Hanaway	Hartzler 123	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kissell
Klindt	Kreider	Lakin	Lawson	Leake
Levin	Liese	Linton	Lograsso	Long
Luetkemeyer	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Murray
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pryor
Purgason	Ransdall	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Scheve	Schilling
Schwab	Scott	Secrest	Selby	Shelton
Shields	Smith	Summers	Surface	Thompson
Townley	Treadway	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wright
Mr. Speaker				

PRESENT: 006

Bartle	Boykins	Reid	Riley	Troupe
Wilson 42				

ABSENT WITH LEAVE: 012

Hagan-Harrell	Hartzler 124	Hoppe	Kennedy	Loudon
Luetkenhaus	Murphy	Nordwald	Ridgeway	Sallee
Skaggs	Stokan			

VACANCIES: 002

Representative Selby offered **House Amendment No. 5**.

Representative Relford raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Pryor offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Bill No. 1603, Page 3, Section 407.815, Lines 9-12, by deleting said lines and inserting in lieu thereof the following:

“vehicles or used motor vehicles taken in trade or new motor vehicles or used motor vehicles purchased for resale and who receive reimbursement for warranty labor and parts”; and

Further amend said section, Pages 4 and 5, by deleting Line 24 on Page 4, and Lines 1 through 5 on Page 5.

Representative Green offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

House Substitute Amendment No. 1 for House Amendment No. 5 was withdrawn.

Representative Pryor moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative May (108) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Bill No. 1603, Page 4, Section 407.815, Lines 2-4, by deleting the words “motor vehicle financing, credit insurance, service contracts and/or motor vehicle insurance”.

On motion of Representative May (108), **House Amendment No. 6** was adopted.

Representative Elliott offered **House Amendment No. 7**.

Representative May (108) raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hanaway offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Bill No. 1603, Page 34, Section 407.823, Line 1 of said page, by inserting after the word "**dealer**" the words"; or

- (5) Own any ownership interest or have any financial interest in an auto body repair service provider;
or
(6) Own any ownership interest or have any financial interest in a provider of motor vehicles for lease or rent; or
(7) Own any ownership interest or have any financial interest in a provider of routine maintenance services".

On motion of Representative Hanaway, **House Amendment No. 7** was adopted.

Representative Legan offered **House Amendment No. 8**.

Representative May (108) raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Shields offered **House Amendment No. 8**.

House Amendment No. 8 was withdrawn.

On motion of Representative May (108), **HS HB 1603, as amended**, was adopted by the following vote:

AYES: 130

Abel	Akin	Auer	Ballard	Barry 100
Bartelsmeyer	Bennett	Berkowitz	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Britt
Burton	Champion	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Enz	Evans	Farnen
Fitzwater	Foley	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Kreider	Lawson	Leake
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murphy	Murray	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Scheve	Schilling	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Smith	Summers
Surface	Thompson	Treadway	Troupe	Tudor
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 021

Alter	Backer	Barnett	Berkstresser	Campbell
Chrismer	Elliott	Koller	Lakin	Legan
Lograsso	Mays 50	Ostmann	Parker	Pryor
Reid	Ross	Scott	Skaggs	Townley
Van Zandt				

PRESENT: 002

Bartle	Griesheimer
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ABSENT WITH LEAVE: 008

Bray 84	Ford	Hartzler 124	Hoppe	Miller
Nordwald	Sallee	Stokan		

VACANCIES: 002

On motion of Representative May (108), **HS HB 1603, as amended**, was ordered perfected and printed.

HCS HB 1711, relating to prescription drug costs, was taken up by Representative Abel.

Representative Abel offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1711, Page 1, Section A, Line 2, by deleting the number “**376.891**” and inserting in lieu thereof the number “**376.845**”; and

Further amend said bill, Page 1, Section 376.891, Line 1, by deleting the number “**376.891**” and inserting in lieu thereof the number “**376.845**”; and

Further amend said title, enacting clause and intersectional references accordingly; and

Further amend Page 1, Line 9, by adding after the word prescription the following:

“**The division of medical services (DMS) shall collect costs of adjudication by the division from the reimbursement to be paid to the enrolled Title XIX provider through the Medicaid remittance advices.**”; and

Further amend on Page 2, Lines 31 and 32, by adding a “.” after 2001 and deleting the rest of subsection 5.

On motion of Representative Abel, **House Amendment No. 1** was adopted.

Representative Smith offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1711, Page 2, Section 376.891, Line 32, by inserting after all of said line the following:

"Section 1. The medical assistance program established in section 208.151, RSMo, shall provide prescription drug coverage of nonsystemic drugs for the treatment of obesity, which are approved by the federal Food and Drug Administration, for eligible persons according to appropriate criteria established by the department. Such criteria shall include coverage for eligible patients that have a body mass index equal to or greater than twenty-seven kg/m² with the presence of another risk factor including diabetes, cardiovascular disease, hypertension, stroke or dyslipidemia. Such coverage may be subject to prior authorization or to a retrospective drug utilization review process."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Dougherty assumed the Chair.

On motion of Representative Smith, **House Amendment No. 2** was adopted.

Representative Reid offered **House Amendment No. 3**.

Representative Monaco raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Dougherty requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Reid offered **House Amendment No. 3**.

Representative Monaco raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Dougherty requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Chrismer offered **House Amendment No. 3**.

Representative Hollingsworth raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Dougherty requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Reid offered **House Amendment No. 3**.

Speaker Pro Tem Kreider resumed the Chair.

Representative Foley raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Holand offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1711, Page 2, Section 376.891, Line 20, by inserting after the word “medications.” the following: “**nor medications available over-the-counter and written as a prescription.**”.

On motion of Representative Holand, **House Amendment No. 3** was adopted.

Representative Naeger offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1711, Page 2, Section 376.891, Line 32, by inserting after all of said line the following:

"Section 1. 1. The department of social services shall make dispensing and pharmacist service payments to any pharmacy that has a valid Medicaid provider agreement with the department. The department shall establish dispensing and pharmacist service fees pursuant to regulations promulgated by the department of

social services. Such fees shall equal or exceed the cost incurred by a pharmacy to provide such dispensing and services.

2. Upon establishment of the fee pursuant to subsection 1 of this section, the department shall reevaluate the amount of such fee at least once every two years, but not more than once a year.

3. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

Section 2. No individual or group health insurance policy providing coverage on an expense incurred basis, no individual or group service or indemnity type contract issued by a not for profit corporation, no individual or group service contract issued by a health maintenance organization, no self-insured group arrangement, to the extent not preempted by law, and no managed health care entity plan of any type or description, that are delivered, issued for delivery, continued or renewed on or after August 28, 2000, which provide coverage for pharmaceutical benefits or services shall reimburse any pharmacy or pharmacist for dispensing any prescription or providing any service at less than the rate paid by the department of social services for the same fees or services pursuant to section 1 of this act.

Section 3. No policy, contract or plan shall permit or mandate any difference in coverage for or impose any different conditions, including, but not limited to, copayments, deductibles or coinsurance or the number of days for the supply of the drug, whether the prescription benefits are provided through direct contact with a pharmacy or by use of a mail order pharmacy so long as the provider selected is a participant in the plan involved.”

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hollingsworth raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

HCS HB 1711, as amended, with House Amendment No. 4, pending, was laid over.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 756 - Public Safety and Law Enforcement

SS#2 SCS SBs 757 & 602 - Civil and Administrative Law

SCS SB 763 - Public Safety and Law Enforcement

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Williams (159) reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SCS SB 779**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **SCR 27**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Agriculture, to which was referred **SCS SB 540**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 722**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 1357**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Consumer Protection and Housing, Chairman Schilling reporting:

Mr. Speaker: Your Committee on Consumer Protection and Housing, to which was referred **SB 643**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 618**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment Nos. 1 and 2**.

House Committee Amendment No. 1

AMEND Senate Bill No. 618, Page 1, In the Title, Lines 2 and 3, by striking all of said lines and inserting in lieu thereof the following:

"To repeal section 217.541, RSMo 1994, and sections 21.455, 217.015 and 217.305, RSMo Supp. 1999, relating to the department of corrections, and to enact in lieu thereof five new sections relating to the same subject."; and

Further amend said bill, Page 1, Section A, Lines 1 through 3, by striking all of said lines, and inserting in lieu thereof the following:

"Section A. Section 217.541, RSMo 1994, and sections 21.455, 217.015 and 217.305, RSMo Supp. 1999, are repealed and five new sections enacted in lieu thereof, to be known as sections 21.455, 217.015, 217.287, 217.305 and 217.541, to read as follows:

21.455. It shall be the duty of the committee:

- (1) To make a continuing study and analysis of penal and correctional problems as they relate to this state;
- (2) To devise and arrange for a long-range program for the department and its correctional centers based on a plan of biennial development and making the recommendation of any required correctional centers in the state in accordance with the general assembly's powers of appropriation;

(3) To inspect **or have the committee's designee from the joint committee on legislative research or the joint committee on capital improvements and leases oversight or any other person designated by the committee inspect** at least once [each year] **biennially** and as necessary all correctional facilities and properties under the jurisdiction of the department of corrections [and of the division of youth services];

(4) To make a continuing study and review of the department of corrections and the correctional facilities under its jurisdiction, including the internal organization, management, powers, duties and functions of the department and its correctional centers, particularly, by way of extension but not of limitation, in relation to the:

- (a) Personnel of the department;
- (b) Discipline of the correctional facilities;
- (c) Correctional enterprises;
- (d) Classification of offenders;
- (e) Care and treatment of offenders;
- (f) Educational and vocational training facilities of the correctional centers;
- (g) Location and establishment of new correctional centers or of new buildings and facilities;
- (h) All other matters relating to the administration of the state's correctional centers which the committee deems pertinent; and

- (i) Probations and paroles;

(5) [To make a continuing study and review of the institutions and programs under the jurisdiction of the division of youth services;

(6)] To study and determine the need for changes in the state's criminal laws as they apply to correctional centers and to sentencing, commitment, probation and parole of persons convicted of law violations;

[(7)] **(6)** To determine from such study and analyses the need for changes in statutory law or administrative procedures;

[(8)] **(7)** To make recommendations to the general assembly for legislative action and to the department of corrections [and to the division of youth services] for administrative or procedural changes."; and

Further amend said bill, Page 2, Section 217.287, Line 11, by inserting immediately after said line the following:

"217.305. 1. The sheriff or other officer charged with the delivery of persons committed to the department for confinement in a correctional center shall deliver the person to the reception and diagnostic center designated by the director at times and dates as designated by the director and shall receive a certificate of delivery of the offender from the center.

2. Appropriate information relating to the offender shall be provided to the department in a written or electronic format, at or before the time the offender is delivered to the department, including, but not limited to:

(1) A copy of the sentence received from the clerk of the sentencing court. If provided in written form, this document shall be certified by the court;

(2) All other judgment, sentencing and commitment orders of the court, or such documents as authorized by the prosecuting attorney or circuit attorney or required by the department;

(3) Further information regarding the offender's age, crime for which sentenced and circumstances surrounding the crime and sentence, personal history, which may include facts related to his home environment, work habits and previous convictions and commitments. Such information shall be prepared by the prosecuting attorney of the county or circuit attorney of any city not within a county who was charged with the offender's prosecution;

(4) Information regarding all significant aspects of the offender's physical and mental condition, including any currently prescribed medication and any attempts to commit suicide. Such information shall be prepared by the sheriff or other officer charged with delivering the offender to the department and shall include copies of all medical and mental health documents in the possession of jail personnel relating to the offender.

217.541. 1. The department shall by rule establish a program of house arrest. The director or [his] a designee may extend the limits of confinement of offenders serving sentences for [class C or D] felonies who have one year or less remaining prior to release on parole, conditional release, or discharge to participate in the house arrest program. **Offenders who are serving sentences for dangerous felonies, as defined in section 556.061, RSMo, or identified as predatory sexual offenders, as defined in section 558.018, RSMo, are not eligible for participation in the house arrest program.**

2. The offender referred to the house arrest program shall remain in the custody of the department and shall be subject to rules and regulations of the department pertaining to offenders of the department until released on parole or conditional release by the state board of probation and parole.

3. The department shall require the offender to participate in work or educational or vocational programs and other activities that may be necessary to the supervision and treatment of the offender.

4. An offender released to house arrest shall be authorized to leave [his] **such offender's** place of residence only for the purpose and time necessary to participate in the program and activities authorized in subsection 3 of this section.

5. The board of probation and parole shall supervise every offender released to the house arrest program and shall verify compliance with the requirements of this section and such other rules and regulations that the department shall promulgate and may do so by remote electronic surveillance. If any probation/parole officer has probable cause to believe that an offender under house arrest has violated a condition of the house arrest agreement, the probation/parole officer may issue a warrant for the arrest of the offender. The probation/parole officer may effect the arrest or may deputize any officer with the power of arrest to do so by giving the officer a copy of the warrant which shall outline the circumstances of the alleged violation. The warrant delivered with the offender by the arresting officer to the official in charge of any jail or other detention facility to which the offender is brought shall be sufficient legal authority for detaining the offender. An offender arrested [under] **pursuant to** this section shall remain in custody or incarcerated without consideration of bail. The director or [his] **a** designee, upon recommendation of the probation and parole officer, may direct the return of any offender from house arrest to a correctional [facility] **center** of the department for reclassification.

6. Each offender who is released to house arrest shall pay a [percentage of his] **per diem rate from such offender's** wages, established by department rules, to a maximum of the per capita cost of the house arrest program. The money received from the offender shall be deposited in the inmate **revolving** fund and shall be expended to support the house arrest program."; and

Further amend said title, enacting clause and intersectional references accordingly.

House Committee Amendment No. 2

AMEND Senate Bill No. 618, Page 1, In the Title, Line 2, by inserting immediately after the word "section" the following: "**217.750, RSMo 1994, and section**"; and

Further amend the title, Line 3, by striking the word "two" and inserting in lieu thereof the word "**three**"; and

Further amend said bill, Section A, Line 1, by inserting immediately before "217.015" the following: "**217.750, RSMo 1994, and section**"; and

Further amend Section A, Line 1, by striking the word "two" and inserting the word "**three**"; and

Further amend Section A, Line 2, by striking the following: "and 217.287" and inserting in lieu thereof the following: "**217.015, 217.287 and 217.750**"; and

Further amend said bill, Page 2, Section 217.287, Line 11, by inserting immediately after said line the following:

"217.750. 1. At the request of a judge of any circuit court, the board shall provide probation services for such court as provided in subsection 2 of this section.

2. The board shall provide probation services for any person convicted of any class of felony. The board shall not be required to provide probation services for any class of misdemeanor except those class A misdemeanors the basis of which is contained in chapters 565, 566 and 570, RSMo, or in section **568.040, RSMo**, 568.050, RSMo, 455.085, RSMo, or section 455.538, RSMo. The board may in its discretion accept other persons for supervision who have been convicted of driving while intoxicated [under] **pursuant to** the provisions of section 577.023, RSMo."

Committee on Education - Elementary and Secondary, Chairman Fitzwater reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **SB 573**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 921**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on State Parks, Natural Resources and Mining, Chairman McBride reporting:

Mr. Speaker: Your Committee on State Parks, Natural Resources and Mining, to which was referred **SCS SB 657**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 881**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 74, introduced by Representative Patek, relating to an equal rights amendment.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 2156, introduced by Representative Patek, relating to child custody.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 683**, entitled:

An act to repeal section 304.580, RSMo 1994, relating to construction zones, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 864**, entitled:

An act to repeal section 288.090, RSMo Supp. 1999, relating to employment security, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 956**, entitled:

An act to repeal section 144.062, RSMo Supp. 1999, relating to certain sales tax exemptions, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1059**, entitled:

An act to authorize the conveyance of state property to the Nevada R-V School District.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1066**, entitled:

An act to amend chapter 173, RSMo, by adding thereto one new section relating to telecommunity centers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1075**, entitled:

An act to repeal section 288.050, RSMo Supp. 1999, relating to employment security, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Nordwald.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, April 11, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fiftieth Day, Thursday, April 6, 2000, Page 868, Lines 29 through 38, by deleting all of said lines and inserting in lieu thereof the following:

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 15, Section 407.931, Line 16, by inserting after the word **“operator”** the words **“including owners and operators of tobacco vending machines”**.; and

Further amend said bill, Page 15, Section 407.927, Line 12, by inserting after the word **“or”** the word **“sell”**; and

Further amend said bill, Page 15, Section 407.931, Line 21, by deleting the words **“and subsequent”**.

Pages 858 and 859, roll call, by showing Representative Howerton voting "aye" rather than "absent with leave".

Pages 861 and 862, roll call, by showing Representative Myers voting "aye" rather than "absent with leave".

Pages 863 and 864, roll call, by showing Representatives Murray and Ward voting "aye" rather than "absent with leave".

Pages 865 and 866, roll call, by showing Representative Howerton voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Tuesday, April 11, 2000, 8:30 am. Hearing Room 3.

To be considered - HB 1113, HB 1121

CHILDREN, YOUTH AND FAMILIES

Tuesday, April 11, 2000, 8:30 am. Hearing Room 1.

To be considered - HB 2134

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 12, 2000. Hearing Room 1 upon morning adjournment.

To be considered - SB 617, Executive Session - SB 858

CONSUMER PROTECTION

Tuesday, April 11, 2000, 6:00 pm. Hearing Room 1.

To be considered - SB 721

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Tuesday, April 11, 2000. Side gallery upon morning adjournment.

Executive Session may follow.

To be considered - HCR 27

FISCAL REVIEW

Tuesday, April 11, 2000, 9:00 am. Hearing Room 7.

Executive Session. To be considered - HB 1305, HB 1677

JUDICIARY

Tuesday, April 11, 2000. Hearing Room 5 upon morning adjournment.

Executive Session to follow.

To be considered - SB 556, SB 669, SB 746, SB 774

LABOR

Tuesday, April 11, 2000. Side gallery upon morning adjournment.

To be considered - Executive Session - SB 709, Executive Session - SB 734

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 11, 2000. Hearing Room 7 upon morning adjournment.

Executive Session to follow.

To be considered - HB 2117, SB 727, SB 842, SB 894, SB 924, SB 940

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 12, 2000, 9:30 am. Hearing Room 6.

To be considered - Executive Session - SB 801

MUNICIPAL CORPORATIONS

Wednesday, April 12, 2000. Hearing Room 4 upon morning adjournment.

To be considered - HB 1286, HB 2133

PUBLIC HEALTH

Tuesday, April 11, 2000. Hearing Room 4 upon morning adjournment.

CORRECTED NOTICE.

To be considered - HB 2027, HCR 31, SB 974

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, April 11, 2000, 8:30 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 2123, HCR 33, SB 813

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 11, 2000. Side gallery upon morning adjournment.

To be considered - Executive Session - SB 810

SUBCOMMITTEE - APPROPRIATIONS, DEPARTMENT OF CORRECTIONS

Tuesday, April 11, 2000. Hearing Room 2A & 2B upon afternoon adjournment.

Department of Corrections issues.

SUBCOMMITTEE ON PUBLIC HEALTH

Wednesday, April 19, 2000, 8:30 am. Hearing Room 4.

Discussing mental health ombudsman legislation.

URBAN AFFAIRS

Tuesday, April 11, 2000, 1:30 pm. Hearing Room 2.

Executive Session to follow.

To be considered - HCR 28

UTILITIES REGULATION

Thursday, April 13, 2000, 8:00 am. Hearing Room 6.

To be considered - HB 1778, HB 1842, HB 1895, SB 1049

WAYS AND MEANS

Tuesday, April 11, 2000, 1:00 pm. Hearing Room 6.

Executive Session may follow. AMENDED.

To be considered - SB 743, SB 936, SB 1042

HOUSE CALENDAR

FIFTY-SECOND DAY, TUESDAY, APRIL 11, 2000

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 74

HOUSE BILL FOR SECOND READING

HB 2156

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1711, as amended, HA 4, pending - Abel
- 2 HCS HB 1797 - Gratz
- 3 HCS HB 1569 - Bray
- 4 HCS HB 1932 - Harlan

- 5 HCS HB 1967 - Hoppe
- 6 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HB 1472 - Smith
- 5 HCS HB 1574 & 1640 - Britt

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1305, E.C. (Fiscal Review, 4-5-00) - Rizzo
- 2 HS HCS HB 1677, 1675 & 1676, (Fiscal Review, 4-6-00) - Riback Wilson (25)
- 3 HS HCS HB 1652 & 1433, (Fiscal Review, 4-10-00) - Hoppe

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 1825 - Klindt
- 2 HB 1685 - Smith

SENATE BILLS FOR SECOND READING

- 1 SCS SB 683
- 2 SB 864
- 3 SB 956
- 4 SCS SB 1059
- 5 SCS SB 1066
- 6 SCS SB 1075

SENATE BILL FOR THIRD READING

HCS SS SB 549, E.C. - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTY-SECOND DAY, TUESDAY, APRIL 11, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, to whom we will all have to account, grant us Your aid, that the work done this day may be pleasing to You.

If any here are in ill spirits, or clinging to grudges, if any are unable to let go of old hurts or sustain bitterness, then we pray that You will bless them.

Help this House to cheerfully bear with one another. And give to these men and women a quiet and understanding spirit. Bless them as they serve this day, and give life to their good intentions. To You be glory and honor, forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brittanie Ross, Spencer Long, Beth Millay, Dustin Seaman, Amanda Nettles, Becky Tullock, Danny Jurczyk, Eddie Leppert, Michael Osterhaus, Amy Revenaugh, Emily DeStefano, Bridget McConnell, Cassie Maas, Eric Greenley, John Greenley, Andy Greenley, Kristen Ohlms, Jessica Ohlms, Courtney Ohlms, Jared Houk, Brandon D. Morgan, Josh Nichols, Alana Copeland, Abbey Riley, Cassie Jadlot, Brad Newman, Amy Strawhun, Julie Bellm, Danny Olwig, Phillip Bascio, Eric Richmond, Daniel Dempsey, Clint Satyavelu, Jason Rathke, Matt Stephens, Jerald Wallut, Mary Carter, Mary Evans, Tyrone Thompson, Jessica Shane, Douglas Shane and Kathryn Shane.

The Journal of the fifty-first day was approved as corrected by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Griesheimer
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton

Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 070

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Gross	Hanaway	Hartzler 123	Hegeman	Hendrickson
Hohulin	Howerton	Kasten	Kelley 47	King
Klindt	Legan	Levin	Linton	Long
Loudon	Luetkemeyer	Marble	McClelland	Miller
Murphy	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Ridgeway	Robirds	Ross
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

PRESENT: 001

Reid

ABSENT WITH LEAVE: 006

Hartzler 124	Holand	Lograsso	Reynolds	Sallee
Stokan				

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1072

through

House Resolution No. 1074 - Representative Berkstresser

House Resolution No. 1075 - Representative Barry

House Resolution No. 1076

through

House Resolution No. 1083 - Representative Ward

House Resolution No. 1084

through

House Resolution No. 1087 - Representative Boykins

House Resolution No. 1088 - Representative McKenna

House Resolution No. 1089

and

House Resolution No. 1090 - Representatives Ross and Lograsso

House Resolution No. 1091 - Representative Ross

House Resolution No. 1092 - Representative Wright

House Resolution No. 1093 - Representative Townley

House Resolution No. 1094 - Representative Holand

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 74 was read the second time.

SECOND READING OF HOUSE BILL

HB 2156 was read the second time.

SECOND READING OF SENATE BILLS

SCS SB 683, SB 864, SB 956, SCS SB 1059, SCS SB 1066 and SCS SB 1075 were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HB 1305 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HBs 1677, 1675 & 1676 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILLS

HCS HB 1711, as amended, with House Amendment No. 4, pending, relating to prescription drug costs, was taken up by Representative Abel.

Representative Troupe offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1711, Page 1, Section 376.891, Line 14, by inserting after the word “**pharmacy**” the following:

“The division of medical services shall use the same reimbursement rate for all pharmacies participating in the Medicaid program on a fee-for-services basis.”; and

Further amend House Committee Substitute for House Bill No. 1711, Page 2, Section 376.891, Line 32, by inserting after said line the following:

“6. No policy, contract or plan shall permit or mandate any difference in coverage for or impose any different conditions, including, but not limited to, copayments, deductibles or coinsurance or the number of days for the supply of the drug, whether the prescription benefits are provided through direct contact with a pharmacy or by use of a mail order pharmacy so long as the provider selected is a participant in the plan involved.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Naeger raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Troupe, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

Representative Naeger offered **House Amendment No. 5**.

Representative Monaco raised a point of order that **House Amendment No. 5** contains language previously rejected by the adoption of **House Substitute Amendment No. 1 for House Amendment No. 4**.

The Chair ruled the point of order well taken.

Representative Ford offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1711, Page 2, Section 376.891, Line 32, by adding after said line all of the following:

“Persons aged 65 years or older who are not covered by Medicare, Medicaid or other private insurance shall not be charged for any legal drug prescription.”

Representative Scott offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1

to

House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 1711, Page 1, Section 376.891, Line 1, by deleting the word “65” and inserting in lieu thereof the word “**110**”.

Representative Elliott offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 5**.

Representative Britt raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 5** is not a true substitute amendment and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

House Amendment No. 1 to House Amendment No. 5 was withdrawn.

House Amendment No. 5 was withdrawn.

Representative Reid offered **House Amendment No. 5**.

Representative Relford raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Naeger offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1711, Page 2, Section 376.891, Line 32, by inserting after the following:

“Section 2. No individual or group health insurance policy providing coverage on an expense incurred basis, no individual or group service or indemnity type contract issued by a not for profit corporation, no individual or group service contract issued by a health maintenance organization, no self-insured group arrangement, to the extent not preempted by law, and no managed health care entity plan of any type or description, that are delivered, issued for delivery, continued or renewed on or after August 28, 2000, which provide coverage for pharmaceutical benefits or services shall reimburse any pharmacy or pharmacist for dispensing any prescription or providing any service at less than the rate paid by the department of social services for the same fees or services pursuant to section 1 of this act, so long as the pharmacy or pharmacist is a medicaid provider in this state.”.

Representative Monaco raised a point of order that **House Amendment No. 5** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Smith assumed the Chair.

On motion of Representative Naeger, **House Amendment No. 5** was adopted by the following vote:

AYES: 094

Alter	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Boucher 48	Boykins	Champion	Cierpiot	Clayton
Crump	Davis 122	Dougherty	Enz	Evans
Fitzwater	Foley	Ford	Foster	Froelker
Gaskill	George	Gibbons	Graham 106	Graham 24
Green	Griesheimer	Hampton	Harlan	Hegeman
Hendrickson	Hohulin	Holand	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kennedy	King
Kissell	Klindt	Koller	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Luetkenhaus	Marble	McClelland	McKenna	McLuckie
Merideth	Miller	Murray	Naeger	Nordwald
O'Toole	Ostmann	Parker	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Relford
Richardson	Ridgeway	Robirds	Scheve	Schwab
Secrest	Seigfreid	Selby	Shields	Smith
Summers	Tudor	Vogel	Wiggins	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 057

Abel	Auer	Backer	Barry 100	Bonner
Britt	Burton	Campbell	Chrismer	Crawford
Curls	Davis 63	Days	Elliott	Farnen
Franklin	Fraser	Gambaro	Gratz	Gross
Gunn	Hagan-Harrell	Hanaway	Hartzler 123	Hickey
Hilgemann	Hollingsworth	Kelly 27	Kreider	Lakin
Loudon	Luetkemeyer	May 108	Mays 50	McBride
Monaco	Murphy	Myers	O'Connor	Overschmidt
Patek	Ransdall	Riley	Rizzo	Schilling
Scott	Shelton	Skaggs	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Wagner
Ward	Williams 121			

PRESENT: 000

ABSENT WITH LEAVE: 010

Akin	Berkstresser	Bray 84	Dolan	Hartzler 124
Long	Reynolds	Ross	Sallee	Stokan

VACANCIES: 002

Representative Reid offered **House Amendment No. 6**.

Representative Hollingsworth raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Abel, **HCS HB 1711, as amended**, was adopted.

On motion of Representative Abel, **HCS HB 1711, as amended**, was ordered perfected and printed.

HCS HB 1797, relating to insurance identification database, was taken up by Representative Gratz.

Representative Gratz offered **HS HCS HB 1797**.

Representative Gratz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1797, Page 1, In the Title, Line 7, by striking the word “five” and inserting in lieu thereof the word “six”; and

Further amend said bill, Page 1, Section A, Line 13, by striking the word “five” and inserting in lieu thereof the word “**six**”; and

Further amend said bill, Line 12, by inserting a comma after the term “303.412” and striking the next word “and”; and

Further amend said bill, Line 15, by inserting after the comma following the term “303.415” the words “**and Section 390.128**”; and

Further amend said bill, Page 14, Section 303.415, Line 5, by inserting after all of said line, the following additional section:

“390.128. 1. To assist motor carriers in certifying their motor vehicle financial responsibility as required pursuant to chapters 390 and 622, RSMo, the division of motor carrier and railroad safety within the state department of economic development shall provide by rule for the electronic filing by insurance companies of certificates of insurance required by section 390.126, RSMo. The division may provide by rule for the confirmation of coverage by insurance companies authorized to do business in the state through national clearinghouses or private databases. The division may provide by rule for the acceptance of proof of insurance from insurance companies located outside of the state.

2. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.”.

On motion of Representative Gratz, **House Amendment No. 1** was adopted.

Representative Britt offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1797, Page 7, Section 303.406.6, Line 17, by deleting the word “grossly”; and

Further amend said section, Page 8, Line 2, by deleting the word “grossly”.

On motion of Representative Britt, **House Amendment No. 2** was adopted.

Representative Marble offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1797, Page 10, Section 303.409, Line 6, by deleting the brackets around the word “certified”; and

Further amend by deleting the words “**first class**”.

Representative Marble moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

HCS HB 1797, with HS, as amended, pending, was laid over.

PERFECTION OF HOUSE BILLS - INFORMAL

HCS HB 1362, relating to health insurance, was taken up and placed back on the Informal Calendar.

HCS HB 1602, relating to livestock sales regulations, was taken up and placed back on the Informal Calendar.

HCS HB 1143, relating to senior environmental corps, was taken up and placed back on the Informal Calendar.

On motion of Representative Foley, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1095

and

House Resolution No. 1096 - Representative Parker

House Resolution No. 1097

through

House Resolution No. 1099 - Representative Barry

House Resolution No. 1100 - Representative Abel

House Resolution No. 1101

and

House Resolution No. 1102 - Representative Hartzler (124)

House Resolution No. 1103 - Representative Kreider

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1603**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

COMMUNICATION FROM THE SECRETARY OF STATE

TO THE SPEAKER OF THE HOUSE

Honorable Steve Gaw

Jefferson City, MO

Sir:

I, Rebecca McDowell Cook, Secretary of State of Missouri, hereby certify that at the Special Election held in the 37th Legislative District in the State of Missouri, on the 4th day of April, 2000, as provided by law, the following named person was elected to the office of State Representative, 37th Legislative District as shown by the election results certified to this office by the election authority of the 37th Legislative District.

Name

Office

Sharon Sanders Brooks
2808 Charlotte Street
Kansas City, MO 64109

State Representative
37th Legislative District

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office this 11th day of April, 2000.

/s/ Rebecca McDowell Cook
Secretary of State

OATH OF OFFICE

Sharon Sanders Brooks advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Steve Gaw, Speaker of the Missouri House of Representatives.

PERFECTION OF HOUSE BILLS

HCS HB 1797, with HS, as amended, pending, relating to insurance identification database, was again taken up by Representative Gratz.

Representative Loudon offered **House Amendment No. 4**.

Representative Gratz raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Gratz, **HS HCS HB 1797, as amended**, was adopted.

On motion of Representative Gratz, **HS HCS HB 1797, as amended**, was ordered perfected and printed.

HCS HB 1569, relating to Missouri Equal Pay Act, was taken up by Representative Bray.

Representative Bray offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618.1(1), Line 7, by adding after the comma “,” the following: “**such additional amount**”.

On motion of Representative Bray, **House Amendment No. 1** was adopted.

Representative Koller offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 19, by adding after said line the following:

“Any action filed pursuant to this section where a jury trial is requested shall only be filed in the circuit court of the county of the residence of the petitioner. If the petitioner is not a resident of this state, the action shall be filed in the circuit in which the action is alleged to have occurred.”.

Speaker Pro Tem Kreider assumed the Chair.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 19, by adding after said line the following:

“Any action filed pursuant to this section shall only be filed in the circuit court of the county of the residence of the plaintiff. If the petitioner is not a resident of this state, the action shall be filed in the circuit in which the action is alleged to have occurred.”.

Representative Smith resumed the Chair.

Representative Patek moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Gratz
Griesheimer	Gross	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hohulin	Holand	Howerton
Kasten	Kelley 47	King	Klindt	Koller
Legan	Levin	Linton	Long	Loudon
Luetkemeyer	Marble	McClelland	Merideth	Miller
Murphy	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Robirds	Ross	Schwab

Scott	Secret	Seigfreid	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

NOES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Green	Gunn
Hagan-Harrell	Harlan	Hendrickson	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Kreider	Lakin	Lawson	Leake
Liese	Lograsso	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Reid	Relford	Ridgeway	Riley	Rizzo
Scheve	Schilling	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 004

Berkstresser	Reynolds	Sallee	Stokan
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VACANCIES: 001

Representative Marble offered **House Substitute Amendment No. 2 for House Amendment No. 2.**

*House Substitute Amendment No. 2
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 19, by deleting the word “**demand**” and inserting in lieu thereof the word “**reject**”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Marble moved that **House Substitute Amendment No. 2 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Long	Loudon	Luetkemeyer	Marble

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McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Richardson	Ridgeway
Robirds	Ross	Schwab	Scott	Secrest
Shields	Summers	Surface	Tudor	Vogel
Wright				

NOES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Graham 24	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Reid	Relford	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 001

Gratz

ABSENT WITH LEAVE: 007

Berkstresser	Dougherty	Lograsso	Reynolds	Sallee
Stokan	Townley			

VACANCIES: 001

Speaker Pro Tem Kreider resumed the Chair.

Representative Koller moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Gratz
Griesheimer	Gross	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hohulin	Holand	Howerton
Kasten	Kelley 47	King	Klindt	Leake
Legan	Levin	Linton	Long	Loudon
Luetkemeyer	Marble	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Overschmidt
Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

NOES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Green	Gunn
Hagan-Harrell	Harlan	Hendrickson	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Liese	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Monaco	Murray
O'Connor	O'Toole	Parker	Ransdall	Reid
Relford	Ridgeway	Riley	Rizzo	Scheve
Schilling	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser	Lograsso	Reynolds	Sallee	Stokan
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VACANCIES: 001

Representative Seigfreid offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 14, by inserting after all of said line the following: “**(4) No punitive damages shall be awarded.**”

On motion of Representative Seigfreid, **House Amendment No. 3** was adopted.

Representative Blunt offered **House Amendment No. 4.**

Representative May (108) raised a point of order that **House Amendment No. 4** amends previously amended material.

The Chair ruled the point of order well taken.

Representative Linton offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 3, by adding the following: “**any minority status**” after the word “race” and before the word “or”; and

Further amend said bill by adding the same change on line 12 before and after the same words.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 3, by adding the following: “**any disability**” after the word “race” and before the word “or”; and

Further amend said bill by adding the same change on line 12 before and after the same words.

On motion of Representative Monaco, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

Representative Gibbons offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Lines 5 & 6, by deleting said lines and inserting in lieu thereof the following:

“**for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions**”; and

Further amend said section, Line 13, by deleting the words “substantially equivalent” and inserting in lieu thereof the word “**equal**”.

On motion of Representative Gibbons, **House Amendment No. 5** was adopted.

Representative Blunt offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 24, by inserting after all of said line the following:

"4. In any action brought pursuant to sections 290.610 to 290.618, the court or jury shall allow a reasonable amount of attorney's fees and other costs of the action to be paid by the losing party to the prevailing party."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Blunt moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bennett	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Graham 106	Griesheimer	Gross	Hartzler 123

Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kasten	King	Klindt	Legan
Levin	Linton	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Richardson	Robirds
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

NOES: 087

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Gibbons	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Reid	Relford
Ridgeway	Riley	Rizzo	Ross	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartle	Berkstresser	Hanaway	Kelley 47	Lograsso
Nordwald	Reynolds	Sallee	Stokan	Williams 121

VACANCIES: 001

Representative Luetkemeyer offered **House Amendment No. 7**.

House Amendment No. 7 was withdrawn.

Representative Evans offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1569, Page 1, Section 290.610, Line 9, by deleting:

“[any person who employs six or more persons, including]”.

Representative Evans moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Hegeman offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 24, at the end of said line by adding the following:

“4. In any action commenced pursuant to the provisions of section 290.610 to 290.618 in which payment of attorney’s fees or other legal fees is contingent upon a monetary settlement or award of damages, such fees for legal services shall not exceed twenty-five percent of the total monetary settlement or award.”.

Representative Hegeman moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bennett	Blunt	Boatright	Burton	Champion
Chrismer	Crawford	Elliott	Enz	Foster
Gaskill	Graham 106	Gratz	Griesheimer	Gross
Hartzler 123	Hartzler 124	Hegeman	Hohulin	Holand
King	Klindt	Legan	Levin	Linton
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reinhart	Robirds
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Vogel	Wright	

NOES: 097

Abel	Auer	Backer	Barry 100	Bartle
Berkowitz	Black	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Evans	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	George	Gibbons	Graham 24	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hendrickson
Hickey	Hilgemann	Hoppe	Hosmer	Howerton
Kasten	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Lograsso	Loudon	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Reid	Relford	Richardson	Ridgeway
Riley	Rizzo	Ross	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Tudor	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 010

Berkstresser	Cierpiot	Hanaway	Hollingsworth	Kelley 47
Long	Naeger	Reynolds	Sallee	Stokan

VACANCIES: 001

Speaker Gaw resumed the Chair.

Representative Bartle offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.614, Line 10, by deleting the word: “[disclosed,]”.

On motion of Representative Bartle, **House Amendment No. 9** was adopted.

Representative Patek offered **House Amendment No. 10.**

House Amendment No. 10 was withdrawn.

Representative Patek offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Lines 17 to 18, by deleting all of said lines and inserting in lieu thereof the following: “**any one or more employees. Any party to such**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Patek, **House Amendment No. 10** was adopted.

Representative Pouche offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 21, by adding after said line the following:

“**Any labor organizations or its agent which violate the provisions of this subsection shall also be subject to the penalties prescribed herein.**”.

Representative Pouche moved that **House Amendment No. 11** be adopted.

Which motion was defeated.

Representative Marble offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for House Bill No. 1569, Page 1, Section 290.610, Line 9, by placing a bracket around the word “six” and placing in lieu thereof the word “twenty-five”.

Representative Marble moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Akin	Alter	Barnett	Bartelsmeyer	Bartle
Bennett	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kasten	King	Klindt	Legan	Levin
Lograsso	Loudon	Luetkemeyer	Marble	McClelland
Merideth	Miller	Murphy	Myers	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reinhart	Relford	Richardson	Ridgeway
Robirds	Ross	Schwab	Secrest	Shields
Summers	Surface	Townley	Tudor	Vogel
Wagner	Williams 159	Wright		

NOES: 076

Abel	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Reid	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Van Zandt
Ward	Wiggins	Williams 121	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 018

Auer	Ballard	Berkstresser	Dolan	Elliott
Gratz	Hanaway	Kelley 47	Lawson	Linton
Long	Naeger	Nordwald	Reynolds	Sallee
Scott	Stokan	Troupe		

VACANCIES: 001

Representative Bartle offered **House Amendment No. 13**.

Representative Bray raised a point of order that **House Amendment No. 13** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Hickey raised a point of order that **House Amendment No. 13** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Patek offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 24, by inserting after said line the following:

“4. When a person files a petition, the court shall order the parties to the action to participate in an alternative dispute resolution program pursuant to supreme court rule to resolve any issues in dispute.

5. Any alternative dispute resolution program ordered by the court pursuant to this section may be paid for by the parties in a proportion to be determined by the court, the cost of which shall be reasonable and customary for the circuit in which the program is ordered, and shall:

- (1) Not be binding on the parties;
- (2) Not be ordered or used for contempt proceedings;
- (3) Not be used to modify a prior order of the court, except by agreement of the parties.

6. Within one hundred twenty days after August 28, 2000, the Missouri supreme court shall have a rule in effect allowing, but not requiring, each circuit to establish an alternative dispute resolution program for proceedings involving issues under this section.”.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 13.**

*House Substitute Amendment No. 1
for
House Amendment No. 13*

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 24, by inserting after said line the following:

“4. When a person files a petition, the court may order the parties to the action to participate in an alternative dispute resolution program pursuant to supreme court rule to resolve any issues in dispute.

5. Any alternative dispute resolution program ordered by the court pursuant to this section may be paid for by the parties in a proportion to be determined by the court, the cost of which shall be reasonable and customary for the circuit in which the program is ordered, and shall:

- (1) Not be binding on the parties;
- (2) Not be ordered or used for contempt proceedings;
- (3) Not be used to modify a prior order of the court, except by agreement of the parties.”.

On motion of Representative Monaco, **House Substitute Amendment No. 1 for House Amendment No. 13** was adopted.

HCS HB 1569, as amended, was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1121 - Budget

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1646**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **SB 753**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **SB 856**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **SB 961**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 907**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 2056**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Urban Affairs, Chairman Van Zandt reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 28

WHEREAS, Kansas City, known as the "Heart of America" and the "City of Fountains", includes more than one hundred thirty-six cities with a population of approximately one million six hundred thousand people; and

WHEREAS, Kansas City offers a diverse selection of shopping and entertainment areas such as Crown Center, Westport and Country Club Plaza, and is home for two impressive art museums, the Nelson-Atkins Museum of Art and the Kemper Museum of Contemporary Art and Design; and

WHEREAS, Kansas City is also big on professional sports with the Truman Sports Complex, home of Kansas City Chiefs football, Kansas City Royals baseball and Kansas City Wizards soccer; Kemper Arena, home of Kansas City Blades IHL hockey and Kansas City Attack NPSL soccer; and Hale Arena in the American Royal Complex where the Explorers play professional tennis; and

WHEREAS, Kansas City's 18th & Vine Historic District attractions include the Kansas City Jazz Museum, the Negro Leagues Baseball Museum and the renovated Gem Theatre Cultural and Performing Arts Center; and

WHEREAS, Kansas City's Liberty Memorial is the country's only memorial and museum dedicated to World War I veterans; and

WHEREAS, June 3, 2000, marks the 150th anniversary of the incorporation of the Town of Kansas in the County of Jackson, Missouri; and

WHEREAS, Kansas City is commemorating its sesquicentennial with a wide range of projects and celebrations, known as "KC150", throughout the year across the Kansas City metropolitan area; and

WHEREAS, May 26 to June 4, 2000, marks the midpoint for celebrations which will include a May 26, 2000, free public debut performance of a Rob Kapilow symphony inspired by the memories and history of Kansas City and Union Station, a performance on May 28, 2000, by the United States Air Force Band, free admittance to major Kansas City-area museums and entertainment complexes on June 2, 2000, and a "Barbecue and Basie on the Boulevard" day featuring a barbecue contest between professional and backyard barbecue teams; and

WHEREAS, the celebrations will end on January 1, 2001, with the opening of a Century Box that was placed in 1901, and the sealing of a new time capsule to be opened January 2, 2101:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby declare June 3, 2000, to be "KC150 Day" and encourage the people of the state of Missouri, especially those persons in the Kansas City metropolitan area, to support and participate in the year-long celebrations commemorating the 150th Anniversary of Kansas City.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 610**, entitled:

An act to repeal section 302.020, RSMo Supp. 1999, relating to motor vehicles, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 12, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Fifty-first Day, Monday, April 10, 2000, pages 881 and 882, roll call, by showing Representative Loudon voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Wednesday, April 12, 2000, 8:30 am. Hearing Room 3.
Executive Session. To be considered - HB 1113, HB 1121

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 12, 2000. Hearing Room 1 upon morning adjournment.
AMENDED NOTICE.

To be considered - SB 617, SB 757, Executive Session - SB 858

CONSUMER PROTECTION AND HOUSING

Wednesday, April 12, 2000, 6:00 pm. Hearing Room 4 upon afternoon adjournment.
Executive Session.

CRIMINAL LAW

Wednesday, April 12, 2000. Hearing Room 5 upon morning adjournment.
Executive Session may be held.
To be considered - SB 530

ENVIRONMENT AND ENERGY

Thursday, April 13, 2000, 8:30 am. Hearing Room 7.
Executive Session will follow.
To be considered - HCR 29

FISCAL REVIEW

Wednesday, April 12, 2000, 8:30 am. Hearing Room 7.
Executive Session.
To be considered - HB 1652

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 12, 2000, 1:50 pm. Hearing Room 7.
Ten minutes before afternoon session or 1:50 pm. Executive Session.
To be considered - SB 788

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, April 13, 2000, 9:00 am. Hearing Room 5.
Discussion of Revision Bills; Publication of Statutes and Session Laws; Mental Health Report.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 12, 2000, 9:30 am. Hearing Room 6. CANCELLED.

To be considered - Executive Session - SB 801

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, April 13, 2000, 9:00 am. Hearing Room 4.

To be considered - Executive Session - SB 801

MUNICIPAL CORPORATIONS

Wednesday, April 12, 2000. Hearing Room 3 upon morning adjournment.

AMENDED NOTICE.

To be considered - HB 1286, HB 2133

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 12, 2000, 6:00 pm. Hearing Room 5.

To be considered - HB 2079

PUBLIC HEALTH

Thursday, April 13, 2000, 9:00 am. Hearing Rooms 2A and 2B.

Executive Session.

PUBLIC SAFETY AND LAW ENFORCEMENT

Wednesday, April 12, 2000. Side gallery upon morning adjournment.

Executive Session.

SUBCOMMITTEE ON LEGISLATIVE RESEARCH AND OVERSIGHT

Wednesday, April 12, 2000, 1:00 pm. Hearing Room 5. Challenge Fiscal Note.

To be considered - HB 1447

SUBCOMMITTEE ON PUBLIC HEALTH

Wednesday, April 19, 2000, 8:30 am. Hearing Room 4.

Discussing mental health ombudsman legislation.

TRANSPORTATION

Wednesday, April 12, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - SB 633, SB 725, SB 1020

UTILITIES REGULATION

Thursday, April 13, 2000, 8:00 am. Hearing Room 6.

To be considered - HB 1778, HB 1842, HB 1895, SB 1049

HOUSE CALENDAR

FIFTY-THIRD DAY, WEDNESDAY, APRIL 12, 2000

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1569, as amended - Bray
- 2 HCS HB 1932 - Harlan
- 3 HCS HB 1967 - Hoppe
- 4 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HB 1472 - Smith
- 5 HCS HB 1574 & 1640 - Britt

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1305, E.C. - Rizzo
- 2 HS HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 3 HS HCS HB 1652 & 1433, (Fiscal Review, 4-10-00) - Hoppe
- 4 HS HB 1603 - May (108)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 1825 - Klindt
- 2 HB 1685 - Smith

SENATE BILL FOR SECOND READING

SB 610

SENATE BILL FOR THIRD READING

HCS SS SB 549, E.C. - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTY-THIRD DAY, WEDNESDAY, APRIL 12, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, as this day is still new, we bow in Your presence to thank You for all the blessings we know and are warmed by.

One of our blessings, in these Spring days, is found in the sounds of children and students in this capitol building. We are grateful for the boys and girls of Missouri. We pray for those growing up alongside us now, for those who teach them and for those who nurture them in faith and truth.

O Lord, teach us to number our days that we may apply our hearts to wisdom, and value our children. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: The Kemper family, The Bohnert family, The Troyer family, Molly Schuh, Kyle Regan, Leah Muntges, Alex Muntges, Lisa Hugge, Christie Hovis, Chris Koenen, Brennan Connor, Joshua Bohnert, Royce Bohnert, Arielle Bohnert, Hughes DeTournemire, Nathan Temple Scott and Christa Elisabeth Scott.

The Journal of the fifty-second day was approved as corrected by the following vote:

AYES: 086

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Robirds	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 062

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Ostmann	Patek	Phillips	Pouche 30
Purgason	Reinhart	Richardson	Ross	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 001

Reid

ABSENT WITH LEAVE: 013

Berkstresser	Dolan	Gross	Hanaway	Hartzler 123
Nordwald	Pryor	Ridgeway	Sallee	Schwab
Scott	Smith	Stokan		

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1104 - Representatives Gaw, Hartzler (123), Leake and Wiggins
 House Resolution No. 1105 - Representatives George, Green and Reynolds
 House Resolution No. 1106 - Representative Ross
 House Resolution No. 1107 - Representatives Chrismer and Days
 House Resolution No. 1108 - Representatives Ross and Lograsso
 House Resolution No. 1109 - Representative Naeger
 House Resolution No. 1110 - Representative Boatright
 House Resolution No. 1111 - Representatives Hartzler (124) and Hartzler (123)
 House Resolution No. 1112 - Representative Graham (24)

SECOND READING OF SENATE BILL

SB 610 was read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HBs 1652 & 1433 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILL

HCS HB 1569, as amended, relating to Missouri Equal Pay Act, was taken up by Representative Bray.

Representative Bartle offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 15, by adding the following after said line:

“3. Notwithstanding the provisions of subsection 1 of this section, it shall not be an unlawful practice under 290.610 to 290.618 for an employer to pay different wage rates in different counties.”

And renumber accordingly.

Representative Bray raised a point of order that **House Amendment No. 14** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Parker offered **House Substitute Amendment No. 1 for House Amendment No. 14**.

*House Substitute Amendment No. 1
for
House Amendment No. 14*

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 15, by adding the following after said line:

“(4) Bonafide regional economic differentials.”.

On motion of Representative Parker, **House Substitute Amendment No. 1 for House Amendment No. 14** was adopted by the following vote:

AYES: 153

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy

King	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Ridgeway
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Richardson

PRESENT: 001

Kasten

ABSENT WITH LEAVE: 007

Berkstresser	Hanaway	Kissell	Linton	Lograsso
Sallee	Stokan			

VACANCIES: 001

Representative Marble offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 2, by adding after the word “discriminate” the word “**intentionally**”; and

Further amend said bill, Page 3, Section 290.618, Line 1, by adding after the word “has” the word “**intentionally**”.

Representative Marble moved that **House Amendment No. 15** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Holand	Howerton	Kasten	King	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	McClelland	Merideth
Miller	Murphy	Myers	Naeger	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Ridgeway	Robirds	Ross
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

NOES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curts
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Reid	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Berkstresser	Hanaway	Hohulin	Kelley 47	Nordwald
Sallee	Stokan			

VACANCIES: 001

Representative Froelker offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for House Bill No. 1569, Page 1, Section 290.610, Lines 6 & 7, by deleting the following: “**and any temporary employee employed by an employer**”.

Representative Griesheimer offered **House Substitute Amendment No. 1 for House Amendment No. 16**.

*House Substitute Amendment No. 1
for
House Amendment No. 16*

AMEND House Committee Substitute for House Bill No. 1569, Page 1, Section 290.610, Line 7, by deleting the word “three” and inserting in lieu thereof the word “**six**”.

On motion of Representative Griesheimer, **House Substitute Amendment No. 1 for House Amendment No. 16** was adopted.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 068

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Holand
Howerton	Kasten	King	Klindt	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Naeger	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Schwab
Scott	Secrest	Shields	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Alter	Berkstresser	Hanaway	Hohulin	Kelley 47
Nordwald	Sallee	Stokan	Summers	

VACANCIES: 001

On motion of Representative Bray, **HCS HB 1569, as amended**, was adopted.

On motion of Representative Bray, **HCS HB 1569, as amended**, was ordered perfected and printed.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caleb Smith, Carson Petrash, Sarah Hamill, Maggie Goss, Christopher Tullmann, Karen Beck, James Cressler, Adrienne DaGue, Elizabeth Falk, Melissa Finerty and Kirsten Lueder.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1113 - Representative Gratz
House Resolution No. 1114 - Representative Hartzler (124)
House Resolution No. 1115 - Representatives Gaskill and Bartelsmeyer
House Resolution No. 1116 - Representative Luetkenhaus
House Resolution No. 1117 - Representative Riley
House Resolution No. 1118
through
House Resolution No. 1120 - Representative Lakin
House Resolution No. 1121 - Representative Riback Wilson (25)
House Resolution No. 1122 - Representative Shelton
House Resolution No. 1123 - Representative Abel

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1711** and **HS HCS HB 1797**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1711 - Fiscal Review (Fiscal Note)

THIRD READING OF SENATE BILL

HCS SS SB 549, relating to tobacco settlement funds, was taken up by Representative Van Zandt.

Representative Van Zandt offered **HS HCS SS SB 549**.

Representative Hanaway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 2, Section 196.1014, Line 10, by inserting after all of said line the following:

“Any vote on a constitutional amendment relating to tobacco settlement moneys shall be placed on the Primary Election ballot and shall not be placed on the November general election ballot.”.

Representative Bartle offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 2, Section 196.1014, Line 10, by inserting after all of said line the following:

“The General Assembly instructs the Governor to place any vote on a constitutional amendment relating to the Tobacco Settlement Trust Fund on the Primary Election ballot and shall not be placed on the November General Election ballot.”.

Representative Bartle moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Blunt offered **House Substitute Amendment No. 2 for House Amendment No. 1**.

Representative May (108) raised a point of order that **House Substitute Amendment No. 2 for House Amendment No. 1** is not a true substitute amendment.

Representative Clayton raised an additional point of order that **House Substitute Amendment No. 2 for House Amendment No. 1** is unconstitutional.

The Chair ruled the second point of order not well taken.

House Substitute Amendment No. 2 for House Amendment No. 1 was withdrawn.

Representative Froelker offered **House Substitute Amendment No. 2 for House Amendment No. 1**.

*House Substitute Amendment No. 2
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 2, Section 196.1014, Line 10, by deleting on said line the following: **“January 3, 2001”**, and inserting in lieu thereof **“August 28, 2000”**.

Representative May (108) raised a point of order that **House Substitute Amendment No. 2 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Froelker moved that **House Substitute Amendment No. 2 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

NOES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 004

Berkstresser	Kelley 47	Sallee	Stokan
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VACANCIES: 001

Representative Monaco offered **House Substitute Amendment No. 3 for House Amendment No. 1**.

Representative Levin raised a point of order that **House Substitute Amendment No. 3 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

House Substitute Amendment No. 3 for House Amendment No. 1 was withdrawn.

House Amendment No. 1 was withdrawn.

Representative Lograsso offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 2, Section 196.1014, Line 17, by deleting all of subsection 6, and inserting in lieu thereof the following:

“6. It shall be the stated policy of the State of Missouri to value human life. The State of Missouri shall do nothing that denigrates that value of human life.”.

Representative Lograsso moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Bray 84	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kasten	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

NOES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser	Kelley 47	Nordwald	Sallee	Stokan
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VACANCIES: 001

Representative Riley requested verification of the roll call on **House Amendment No. 1**.

Representative Lawson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. The state treasurer shall monthly transfer from the tobacco settlement trust fund to the “Agricultural Economic Development Trust Fund” amount equal to five percent of the tobacco settlement trust fund. Moneys in the agricultural economic development trust fund shall be appropriated solely for the purpose of developing opportunities for communities and farmers affected by the Missouri tobacco settlement.”.

Representative Van Zandt raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Klindt offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Klindt offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

House Amendment No. 2 was withdrawn.

HCS SS SB 549, with HS, pending, was placed on the Informal Calendar.

PERFECTION OF HOUSE BILL - INFORMAL

HB 1472, relating to juvenile information, was taken up by Representative Smith.

Representative Patek offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1472, Page 1, Section 210.865, Line 1, by adding after the word “carts” the following:

“, circuit courts,”; and

Further amend said bill, Page 1, Section 210.865, Line 13, by adding after all of said line the following:

“All information regarding pupils enrolled in a Missouri school district under the age of 21 which alleges that the pupil has committed one of the following acts or such pupil has been indicted for one of the following acts shall be reported to the Juvenile Information Governance Commission established pursuant to Section 210.870, RSMo:

- (1) First degree murder under Section 565.020, RSMo;
- (2) Second degree murder under Section 565.021, RSMo;
- (3) Kidnapping under Section 565.110, RSMo;
- (4) First degree assault under Section 565.050, RSMo;
- (5) Forcible rape under Section 566.030, RSMo;
- (6) Forcible sodomy under Section 566.060, RSMo;
- (7) Burglary in the first degree under Section 569.160, RSMo;
- (8) Robbery in the first degree under Section 569.020, RSMo;
- (9) Distribution of drugs under Section 195.211, RSMo;
- (10) Distribution of drugs to a minor under Section 195.212, RSMo;
- (11) Arson in the first degree under Section 569.040, RSMo;
- (12) Voluntary manslaughter under Section 565.023, RSMo;
- (13) Involuntary manslaughter under Section 565.024, RSMo;
- (14) Second degree assault under Section 565.060, RSMo;
- (15) Sexual assault under Section 566.040, RSMo;
- (16) Felonious restraint under Section 565.120, RSMo;
- (17) Property damage in the first degree under Section 569.100, RSMo; or
- (18) The possession of a weapon under chapter 571, RSMo.”.

Representative Dougherty assumed the Chair.

Representative Smith raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Dougherty requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Patek moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrimer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	Miller	Murphy
Myers	Naeger	Ostmann	Patek	Phillips
Pouche 30	Pryor	Reid	Reinhart	Richardson
Ridgeway	Robirds	Schwab	Scott	Secrest
Shields	Summers	Surface	Tudor	Vogel
Wright				

NOES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
King	Kissell	Koller	Kreider	Lawson
Leake	Liese	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murray	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Townley	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 001

Purgason

ABSENT WITH LEAVE: 010

Berkstresser	Franklin	Holand	Kelley 47	Lakin
Luetkenhaus	Reynolds	Ross	Sallee	Stokan

VACANCIES: 001

Representative Hosmer offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 1472, Page 2, at the end of said page, by inserting after all of said line the following:

"211.321. 1. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall not be open to inspection or their contents disclosed, except by order of the court to persons having a legitimate interest therein, unless a petition or motion to modify is sustained which charges the child with an offense which, if committed by an adult, would be a class A felony under the criminal code of Missouri, or capital murder, first degree murder, or second degree murder or except as provided in subsection 2 of this section. In addition, whenever a report is required [under] **pursuant to** section 557.026, RSMo, there shall also be included a complete list of certain violations of the juvenile code for which the defendant had been adjudicated a delinquent while a juvenile. This list shall be made available to the probation officer and shall be included in the presentence report. The violations to be included in the report are limited to the following: rape, sodomy, murder, kidnaping, robbery, arson, burglary or any acts involving the rendering or threat of serious bodily harm. The supreme court may promulgate rules to be followed by the juvenile courts in separating the records.

2. In all proceedings [under] **pursuant to** subdivisions (1) and (2) of subsection 1 of section 211.031, the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and shall be open to inspection only by order of the judge of the juvenile court or as otherwise provided by statute. In all proceedings [under] **pursuant to** subdivision (3) of subsection 1 of section 211.031 the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and may be open to inspection without court order only as follows:

(1) The juvenile officer is authorized at any time:

(a) To provide information to or discuss matters concerning the child, the violation of law or the case with the victim, witnesses, officials at the child's school, law enforcement officials, prosecuting attorneys, any person or agency having or proposed to have legal or actual care, custody or control of the child, or any person or agency providing or proposed to provide treatment of the child. Information received pursuant to this paragraph shall not be released to the

general public, but shall be released only to the persons or agencies listed in this paragraph;

(b) To make public information concerning the offense, the substance of the petition, the status of proceedings in the juvenile court and any other information which does not specifically identify the child or the child's family;

(2) After a child has been adjudicated delinquent pursuant to subdivision (3) of subsection 1 of section 211.031, for an offense which would be a felony if committed by an adult, the records of the dispositional hearing and proceedings related thereto shall be open to the public to the same extent that records of criminal proceedings are open to the public. However, the social summaries, investigations or updates in the nature of presentence investigations, and status reports submitted to the court by any treating agency or individual after the dispositional order is entered shall be kept confidential and shall be opened to inspection only by order of the judge of the juvenile court;

(3) As otherwise provided by statute;

(4) In all other instances, only by order of the judge of the juvenile court.

3. Peace officers' records, if any are kept, of children shall be kept separate from the records of persons seventeen years of age or over and shall not be open to inspection or their contents disclosed, except by order of the court. This subsection does not apply to children who are transferred to courts of general jurisdiction as provided by section 211.071 or to juveniles convicted [under] **pursuant to** the provisions of sections 578.421 to 578.437, RSMo. This subsection does not apply to the inspection or disclosure of the contents of the records of peace officers for the purpose of pursuing a civil forfeiture action pursuant to the provisions of section 195.140, RSMo.

4. **Notwithstanding the provisions of subsection 3 of this section, intelligence data of children contained in the files of law enforcement agencies may be placed within a computer data storage system along with intelligence data of adults, provided that access to the computer data storage system is restricted to authorized employees. Authorized employees include all law enforcement agencies, peace officers and organizations established to house intelligence data within a central computer data storage system. Nothing in this subsection prohibits the exchange of intelligence or information by law enforcement agencies, peace officers and organizations established to house intelligence data within a central computer data storage system if the exchanged information is pertinent and necessary for law enforcement purposes.** Nothing in this section shall be construed to prevent the release of information and data to persons or organizations authorized by law to compile statistics relating to juveniles. The court shall adopt procedures to protect the confidentiality of children's names and identities.

5. The court may, either on its own motion or upon application by the child or [his] **the child's** representative, or upon application by the juvenile officer, enter an order to destroy all social histories, records, and information, other than the official court file, and may enter an order to seal the official court file, as well as all peace officers' records, at any time after the child has reached [his] **the child's** seventeenth birthday if the court finds that it is in the best interest of the child that such action or any part thereof be taken, unless the jurisdiction of the court is continued beyond the child's seventeenth birthday, in which event such action or any part thereof may be taken by the court at any time after the closing of the child's case.

6. Nothing in this section shall be construed to prevent the release of general information regarding the informal adjustment or formal adjudication of the disposition of a child's case to a victim or a member of the immediate family of a victim of any offense committed by the child. Such general information shall not be specific as to location and duration of treatment or detention or as to any terms of supervision.

7. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall be disclosed to the child fatality review panel reviewing the child's death pursuant to section 210.192, RSMo, unless the juvenile court on its own motion, or upon application by the juvenile officer, enters an order to seal the records of the victim child."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hosmer moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Clayton offered **House Amendment No. 3**.

Representative Smith raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Dougherty requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Hartzler (124) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 1472, Page 1, Section 210.865, Line 2, by inserting the word “**criminal**” after said line; and

Further amend Line 4, by inserting the words “**in the line of their criminal activities**” after the word “departments.”; and

Further amend Line 6, by inserting the word “**criminal**” after the word “of”; and

Further amend Line 10, by inserting the word “**criminal**” after the word “all”.

Representative Hartzler (124) moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
King	Klindt	Legan	Levin	Linton
Lograsso	Loudon	Luetkemeyer	Marble	McClelland
Merideth	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

NOES: 081

Abel	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	May 108	Mays 50	McBride
McKenna	McLuckie	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward

Wiggins
Mr. Speaker

Williams 121

Williams 159

Wilson 25

Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer
Reynolds

Berkstresser
Sallee

Kelley 47
Stokan

Long

Luetkenhaus

VACANCIES: 001

Representative Hosmer offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 1472, Page 2, Line 27, by inserting after the word “agency” the following: “, **law enforcement**”.

On motion of Representative Hosmer, **House Amendment No. 4** was adopted.

On motion of Representative Smith, **HB 1472, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1113**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1121**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 896**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 719**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 842**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SB 922**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SB 724**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2157, introduced by Representatives Dougherty and Wiggins, relating to alternative fuel motor vehicles.

HB 2158, introduced by Representative Boucher, relating to motor vehicle records.

HB 2159, introduced by Representative Froelker, relating to the highway and transportation department employees' and highway patrol retirement system.

HB 2160, introduced by Representatives Fraser and Riback Wilson (25), relating to the sale of certain consumer credit information.

HB 2161, introduced by Representatives Fraser and Liese, relating to equalization of local governmental services for certain property owners.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SJR 53**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 9 of article III of the Constitution of Missouri relating to changing the number of members of the house of representatives, and adopting two new sections in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 678 & 742**, entitled:

An act to repeal sections 56.085, 196.790, 426.220, 426.230, 429.360, 479.150, 512.180, 512.190, 512.200, 512.210, 512.250, 512.270, 512.280, 512.290, 512.300, 512.310, 512.320, 516.500, 517.011, 534.350, 534.360, 535.110, 537.045, 541.020, 550.120, 621.055, 621.155, 621.165, 621.175, 621.185, 621.189 and 621.198, RSMo 1994, and sections 43.503, 67.133, 104.312, 211.185, 302.535, 303.041, 351.025, 354.065, 452.556, 455.040, 455.050, 455.205, 479.500, 482.305, 482.330, 483.310, 483.500, 487.030, 514.440, 534.070, 534.380, 535.030, 537.675, 610.105 and 650.055, RSMo Supp. 1999, relating to judicial and administrative procedures, and to enact in lieu thereof fifty-one new sections relating to the same subject, with an effective date for certain sections.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Gunn, the House adjourned until 10:00 a.m., Thursday, April 13, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-second Day, Tuesday, April 11, 2000, pages 901 and 902, roll call, by showing Representative Akin voting "aye" rather than "absent with leave".

Page 912, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Page 914, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CRIMINAL LAW

Thursday, April 13, 2000. Hearing Room 3 upon morning adjournment.
Executive Session. AMENDED NOTICE.

ENVIRONMENT AND ENERGY

Thursday, April 13, 2000, 8:30 am. Hearing Room 7.
Executive Session will follow.
To be considered - HCR 29

JOINT COMMITTEE ON CORRECTIONS

Monday, April 17, 2000, 1:15 pm. Hearing Room 4.
Annual Report.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, April 13, 2000, 9:00 am. Hearing Room 5.
Discussion of Revision Bills; Publication of Statutes and Session Laws; Mental Health Report.

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, April 13, 2000, 9:00 am. Hearing Room 4.

To be considered - Executive Session - SB 801

PUBLIC HEALTH

Thursday, April 13, 2000, 9:00 am. Hearing Rooms 2A and 2B.

Executive Session. CANCELLED.

SUBCOMMITTEE ON PUBLIC HEALTH

Wednesday, April 19, 2000, 8:30 am. Hearing Room 4.

Discussing mental health ombudsman legislation.

UTILITIES REGULATION

Thursday, April 13, 2000, 8:00 am. Hearing Room 6.

To be considered - HB 1778, HB 1842, HB 1895, SB 1049

HOUSE CALENDAR

FIFTY-FOURTH DAY, THURSDAY, APRIL 13, 2000

HOUSE BILLS FOR SECOND READING

HB 2157 through HB 2161

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

1 HCS HB 1113 - Green

2 HB 1121 - Franklin

HOUSE BILLS FOR PERFECTION

1 HCS HB 1932 - Harlan

2 HCS HB 1967 - Hoppe

3 HB 1728, HCA 1 - Backer

4 HCS HB 1698 - Shelton

5 HCS HB 1762 - Williams (159)

6 HB 1881 - Auer

7 HCS HB 1489, 1488 & 1650 - Kennedy

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1362, HS, as amended, pending - Harlan

2 HCS HB 1602, as amended - Leake

3 HCS HB 1143, as amended - Scheve

4 HCS HB 1574 & 1640 - Britt

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 1946 - Dougherty

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1305, E.C. - Rizzo
- 2 HS HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 3 HS HCS HB 1652 & 1433 - Hoppe
- 4 HS HB 1603 - May (108)
- 5 HCS HB 1711, (Fiscal Review, 4-12-00) - Abel
- 6 HS HCS HB 1797 - Gratz

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 1825 - Klindt
- 2 HB 1685 - Smith

SENATE JOINT RESOLUTION FOR SECOND READING

SS#2 SJR 53

SENATE BILL FOR SECOND READING

SS SCS SB 678 & 742

SENATE BILL FOR THIRD READING - INFORMAL

HCS SS SB 549, HS, pending - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTY-FOURTH DAY, THURSDAY, APRIL 13, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, keep us from being content to wait and see what will happen, give us the determination to make the right things happen. Give to the men and women of the House, and those who work here, a sense of urgency and renewed commitment to serve and expend themselves for the people of Missouri.

And to You be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Yana V. Byalkovskaya, Aron Melvin, Brenda Kirby, Ben Harmon, Beth Horvath, Josh Byrum, Becky Stuckmeyer, Emily Rabbitt, Jeremy Robinson, Wanni Zhou, Jodi Henderson, Phuong Nguyen, Alan Schwartz, Vova Tamarkin, Lindsay Pape, Danny Pape, Iryna V. Lanko, Amanda Stricker, David Allen, Kari Driemeyer, Riley Holtz, Paige Merriweather, Mackenzie Gnaedinger, Monique Miller, Justin Dalton, Ekaterina N. Trimbalyuk, Chika Matsubara, Giuseppe J. Cardini, Sofia I.B. Klassen, Arpine R. Avetissyan, Stephen Passek, Maria Rahel Knerr, Susie Compton, Eric Harris, Cory Moore, Janelle Ray, Medar Kydyraliev, Taylor McKinney, Jenny Gallagher, Chris Morrow, Brandon Mitchener, Jody Dewes, Marc Morin, Nicole Morin, Chelsea Denlow, Anthony Grosso, Milla Sanes, Meg Strange, Kate Seabaugh, Zachary Porter, Ariel Tellatin, Alex Luebbert, Matt Starr, Ally Hawksley, Kateri Cotter, Evan Ross and Jessica Casey.

The Journal of the fifty-third day was approved as corrected by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambara	George	Graham 24	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton

Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Richardson	Ridgeway
Robirds	Ross	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 001

Reid

ABSENT WITH LEAVE: 005

Berkstresser	Lawson	Parker	Sallee	Stokan
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1124 - Representative Backer
 House Resolution No. 1125 - Representative Patek
 House Resolution No. 1126 - Representative Lawson
 House Resolution No. 1127 - Representative Gaw
 House Resolution No. 1128 - Representative Hoppe
 House Resolution No. 1129 - Representative Klindt
 House Resolution No. 1130 - Representative Summers

SECOND READING OF HOUSE BILLS

HB 2157 through **HB 2161** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SS#2 SJR 53 was read the second time.

SECOND READING OF SENATE BILL

SS SCS SBs 678 & 742 was read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1472** and **HCS HB 1569**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HS HCS HB 1305, relating to community cleanup activities, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HS HCS HB 1305** was read the third time and passed by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Froelker	Lograsso	Murphy	Pryor
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PRESENT: 001

Boykins

ABSENT WITH LEAVE: 006

Barry 100	Berkstresser	Gunn	Parker	Sallee
Stokan				

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 115

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Brooks
Burton	Campbell	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Gambara
George	Gibbons	Graham 24	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hegeman	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelley 47	Kelly 27	Kennedy
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Liese	Long	Loudon
Luetkenhaus	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Monaco	Murray
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Pouche 30	Purgason	Ransdall	Reinhart
Relford	Reynolds	Riley	Rizzo	Robirds
Scheve	Schilling	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 039

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Champion	Chrismer	Cierpiot	Elliott	Enz
Froelker	Gaskill	Graham 106	Hanaway	Hartzler 124
Hendrickson	Hohulin	Holand	Howerton	Kasten
King	Legan	Linton	Lograsso	Luetkemeyer
Marble	Miller	Murphy	Myers	Naeger
Patek	Reid	Richardson	Ridgeway	Ross
Schwab	Scott	Townley	Wright	

PRESENT: 002

Boykins	Levin
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ABSENT WITH LEAVE: 006

Berkstresser	Gunn	Parker	Pryor	Sallee
Stokan				

VACANCIES: 001

On motion of Representative Bonner, title to the bill was agreed to.

Representative Backer moved that the vote by which the bill passed be reconsidered.

Representative Ford moved that motion lay on the table.

The latter motion prevailed.

HS HCS HBs 1677, 1675 & 1676, relating to domestic violence, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **HS HCS HBs 1677, 1675 & 1676** was read the third time and passed by the following vote:

AYES: 145

Abel	Auer	Backer	Barnett	Barry 100
Bartelsmeyer	Bartle	Bennett	Berkowitz	Black
Blunt	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Relford	Reynolds	Richardson	Riley
Rizzo	Robirds	Ross	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Treadway	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 013

Akin	Alter	Ballard	Boatright	Cierpiot
Froelker	Hohulin	Lograsso	Miller	Reinhart
Ridgeway	Townley	Troupe		

PRESENT: 000

ABSENT WITH LEAVE: 004

Berkstresser	Parker	Sallee	Stokan
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VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hoppe, title to the bill was agreed to.

Representative Kelly (27) moved that the vote by which the bill passed be reconsidered.

Representative Hagan-Harrell moved that motion lay on the table.

The latter motion prevailed.

Representative Scheve assumed the Chair.

HS HCS HBs 1652 & 1433, relating to sale of tobacco products, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HS HCS HBs 1652 & 1433** was read the third time and passed by the following vote:

AYES: 116

Backer	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Bonner
Boucher 48	Bray 84	Britt	Brooks	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Days	Dolan
Enz	Evans	Farnen	Fitzwater	Ford
Fraser	Froelker	Gambaro	Gaskill	Gibbons
Graham 106	Graham 24	Gratz	Griesheimer	Gross
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kennedy	Kissell	Klindt	Kreider	Lakin
Leake	Legan	Levin	Liese	Lograsso
Loudon	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Ransdall
Reid	Reinhart	Relford	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schilling	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 036

Abel	Akin	Alter	Auer	Boatright
Boykins	Burton	Davis 63	Elliott	Foley
Foster	George	Green	Gunn	Hickey
Kasten	Kelley 47	Kelly 27	King	Lawson
Linton	Long	Luetkemeyer	Marble	Murphy
Murray	Myers	Pouche 30	Pryor	Purgason
Reynolds	Schwab	Surface	Townley	Wagner
Wright				

PRESENT: 001

Riley

ABSENT WITH LEAVE: 009

Ballard	Berkstresser	Dougherty	Franklin	Koller
Parker	Richardson	Sallee	Stokan	

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Hollingsworth, title to the bill was agreed to.

Representative May (108) moved that the vote by which the bill passed be reconsidered.

Representative Shelton moved that motion lay on the table.

The latter motion prevailed.

HS HB 1603, relating to motor vehicle franchise practices, was taken up by Representative May (108).

On motion of Representative May (108), **HS HB 1603** was read the third time and passed by the following vote:

AYES: 135

Abel	Akin	Alter	Auer	Backer
Ballard	Barry 100	Bartelsmeyer	Bennett	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher 48
Britt	Burton	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Dolan	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Gambaro	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Kreider	Lakin
Lawson	Leake	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 014

Barnett	Bray 84	Campbell	Elliott	Froelker
Gaskill	Legan	Lograsso	Pryor	Reid
Ridgeway	Ross	Skaggs	Van Zandt	

PRESENT: 005

Bartle	Boykins	Brooks	Griesheimer	Riley
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ABSENT WITH LEAVE: 008

Berkstresser	Days	Dougherty	Koller	McLuckie
Parker	Sallee	Stokan		

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Luetkenhaus moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider resumed the Chair.

HS HCS HB 1797, relating to insurance identification database, was taken up by Representative Gratz.

On motion of Representative Gratz, **HS HCS HB 1797** was read the third time and passed by the following vote:

AYES: 150

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Auer Schilling

PRESENT: 001

McLuckie

ABSENT WITH LEAVE: 009

Bennett	Berkstresser	Dougherty	Kasten	Koller
Parker	Richardson	Sallee	Stokan	

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Britt moved that the vote by which the bill passed be reconsidered.

Representative Abel moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HB 1967, relating to St. Louis Boundary Commission, was taken up by Representative Hoppe.

Representative Green assumed the Chair.

On motion of Representative Hoppe, **HCS HB 1967** was adopted.

On motion of Representative Hoppe, **HCS HB 1967** was ordered perfected and printed.

HCS HB 1698, relating to compensation for St. Louis Police, was taken up by Representative Shelton.

On motion of Representative Shelton, **HCS HB 1698** was adopted.

On motion of Representative Shelton, **HCS HB 1698** was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 34 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 2146 - Ways and Means
HB 2147 - Education - Elementary and Secondary
HB 2148 - Education - Elementary and Secondary
HB 2149 - Ways and Means
HB 2151 - Education - Elementary and Secondary
HB 2152 - Criminal Law
HB 2153 - Civil and Administrative Law
HB 2154 - Social Services, Medicaid and the Elderly

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 597 - Critical Issues
SS SCS SBs 678 & 742 - Judiciary
SCS SB 683 - Transportation
SCS SB 802 - Commerce
SB 804 - Banks and Financial Institutions
SB 816 - Retirement
SS SB 850 - Professional Registration and Licensing
SB 864 - Workers Compensation and Employment Security
SS SCS SBs 867 & 552 - Commerce
SS#2 SCS SBs 934, 546, 578, 579 & 782 - Criminal Law
SB 944 - Civil and Administrative Law
SB 946 - Local Government and Related Matters
SB 1051 - Civil and Administrative Law
SCS SB 1059 - Correctional and State Institutions
SCS SB 1066 - Education - Higher
SCS SB 1075 - Workers Compensation and Employment Security

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 858**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HCR 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 29

WHEREAS, the U.S. Department of Energy is in the second year of a ten-year plan to truck spent nuclear fuel containing weapon-grade plutonium and uranium from South Carolina to a waste storage site in Idaho; and

WHEREAS, last year, the U.S. Department of Energy routed the nuclear waste through the state of Iowa on Interstate 80, which is less traveled and has fewer accidents than other possible interstate routes; and

WHEREAS, for the summer of 2000, the U.S. Department of Energy has decided to reroute the nuclear waste through the state of Missouri on Interstate 70, which has far more traffic, far more accidents and far more maintenance problems than Interstate 80; and

WHEREAS, according to the Missouri Department of Natural Resources, in 1997, 6,242 accidents occurred on I-70 in Missouri compared to 1,574 accidents on I-80 in Iowa, and in 1998, 6,476 accidents occurred on I-70 in Missouri compared to 1,270 accidents on I-80 in Iowa; and

WHEREAS, in February of this year, the Governor of Missouri sent a letter to the U.S. energy secretary opposing the use of Interstate 70 for transportation of nuclear waste, citing the extremely high traffic volume and the large number of planned construction projects on Interstate 70 that will reduce traffic flow to a single lane throughout the summer of 2000; and

WHEREAS, in light of the U.S. Department of Energy's goal to protect the public and to protect the nuclear waste material during transportation, the decision of the Department to reroute nuclear waste on Interstate 70 instead of the safer Interstate 80 seems inconsistent with the stated goal of the Department:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby denounce the decision by the United States Department of Energy to reroute nuclear waste through the state of Missouri on Interstate 70 for the summer of 2000 and urge the energy secretary to utilize Interstate 80 for the transportation of nuclear waste; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Bill Richardson, the United States energy secretary.

Committee on Federal-State Relations and Veterans Affairs, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred **HCR 27**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 27

WHEREAS, military retirees who have served honorably for twenty or more years constitute a significant part of the aging population in the United States; and

WHEREAS, these retirees were encouraged to make the United States Armed Forces a career, in part by the promise of lifetime health care for themselves and their families; and

WHEREAS, prior to age sixty-five, these retirees are provided health services by the United States Department of Defense's TRICARE prime program, but those retirees who reach the age of sixty-five lose a significant portion of the promised health care due to Medicaid eligibility; and

WHEREAS, many of these retirees are also unable to access military treatment facilities for health care and life maintenance medications because they live in areas where there are no military treatment facilities or where these facilities have downsized so significantly that available space for care has become nonexistent; and

WHEREAS, the loss of access to health care services provided by the military has resulted in the government breaking its promise of lifetime health care; and

WHEREAS, without continued affordable health care, including pharmaceuticals, these retirees have limited access to quality health care and significantly less care than other retired federal civilians have under the Federal Employees Health Benefits Program; and

WHEREAS, it is necessary to enact legislation that would restore health care benefits equitable with those of other retired federal workers; and

WHEREAS, several proposals to meet this requirement are currently under consideration before the United States Congress and the federal Department of Defense and Department of Health and Human Services; of these proposals, the federal government has already begun to establish demonstration projects around the country to be conducted over the next three years, which would allow Medicare to reimburse the Department of Defense for the costs of providing military retirees and their dependents health care; this project would allow a limited number of Medicare-eligible beneficiaries to enroll in the Department of Defense's TRICARE prime program and receive all of their health care under that program:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby memorialize the Congress of the United States to maintain its commitment to America's military retirees by providing lifetime health care for military retirees over the age of sixty-five; to enact comprehensive legislation that affords military retirees the ability to access health care either through military treatment facilities or through the military's network of health care providers, as well as legislation to require opening the Federal Employees Health Benefits Program to those uniformed services beneficiaries who are eligible for Medicare, on the same basis and conditions that apply to retired federal civilian employees; and to enact any other appropriate legislation that would address the above concerns; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the Senate and Speaker of the House of Representatives of the United States Congress, and all members of the Missouri Congressional delegation with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States.

Committee on Governmental Organization and Review, Chairman Barry reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **SCR 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **SB 788**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **SB 709**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SCS SB 801**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Public Safety and Law Enforcement, Chairman Kissell reporting:

Mr. Speaker: Your Committee on Public Safety and Law Enforcement, to which was referred **SS SB 813**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Social Services, Medicaid and the Elderly, Chairman Gunn reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SB 810**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2162, introduced by Representatives Gaskill, Kissell, Barnett and Alter, relating to unlawful use of weapons.

HB 2163, introduced by Representative Levin, relating to the outstanding public schools accountability act.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 39**.

Senate Concurrent Resolution No. 39

BE IT RESOLVED by the members of the Senate of the Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, that the Missouri Committee on Legislative Research shall prepare and cause to be collated, indexed, printed and bound all acts and resolutions of the Ninetieth General Assembly, Second Regular Session, and shall examine the printed copies and compare them with and correct the same by the original rolls, together with an attestation under the hand of the Revisor of Statutes that he has compared the same with the original rolls in his office and has corrected the same thereby; and

BE IT FURTHER RESOLVED that the size and quality of the paper and binding shall be substantially the same as used in prior session laws and the size and style of type shall be determined by the Revisor of Statutes; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research is authorized to print and bind copies of the acts and resolutions of the Ninetieth General Assembly, Second Regular Session, with appropriate indexing; and

BE IT FURTHER RESOLVED that the Revisor of Statutes is authorized to determine the number of copies to be printed.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 50**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 39(a) of article III of the Constitution of Missouri relating to bingo, and adopting one new section in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 577**, entitled:

An act to repeal sections 260.375, 260.380, 260.391, 260.395, 260.480, 260.535, 260.546 and 260.569, RSMo 1994, and sections 260.475, 260.479, 260.500 and 640.010, RSMo Supp. 1999, relating to the creation of a drycleaning solvent cleanup fund, and to enact in lieu thereof twenty-seven new sections relating to the same subject, with an expiration date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 902**, entitled:

An act to repeal sections 313.008, 313.270, 313.805, 313.807, 313.812, 313.815, 313.817, 313.820, 313.822, 313.825, 313.827, 313.830 and 313.837, RSMo 1994, and sections 313.835 and 313.842, RSMo Supp. 1999, relating to gaming, and to enact in lieu thereof seventeen new sections relating to the same subject, with penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 925**, entitled:

An act to amend chapter 262, RSMo, by adding thereto four new sections relating to the Missouri agriculture advocates office.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 2:00 p.m., Monday, April 17, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-second Day, Tuesday, April 11, 2000, pages 908 and 909, roll call, by showing Representative Koller voting "aye" rather than "no".

Correct House Journal, Fifty-third Day, Wednesday, April 12, 2000, pages 921 and 922, roll call, by showing Representative Ridgeway voting "aye" rather than "absent with leave".

Page 926, roll call, by showing Representative Summers voting "no" rather than "absent with leave".

Pages 932 and 933, roll call, by showing Representative Ross voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 19, 2000. Hearing Room 1 upon morning adjournment.
To be considered - Executive Session - SB 617, Executive Session - SB 757

ENVIRONMENT AND ENERGY

Tuesday, April 18, 2000. Side gallery upon morning adjournment.
Executive Session.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Monday, April 17, 2000, 11:00 am. Senate Lounge.
Department of Health; MO Health Facilities Review Committee.
19 CSR 60-50.300

JOINT COMMITTEE ON CORRECTIONS

Monday, April 17, 2000, 1:15 pm. Hearing Room 4.
Annual Report.

JUDICIARY

Tuesday, April 18, 2000. Hearing Room 5 upon morning adjournment.
Executive Session.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 18, 2000. Hearing Room 1 upon morning adjournment.

Executive Session to follow.

To be considered - SB 1053

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, April 18, 2000, 8:00 am. Hearing Room 6.

Executive Session will follow.

To be considered - SB 756, SB 763, SB 806

SUBCOMMITTEE ON ENVIRONMENT AND ENERGY

Tuesday, April 18, 2000, 9:00 am. Senator Westfall's office Room 220.

To be considered - SB 558

SUBCOMMITTEE ON PUBLIC HEALTH

Wednesday, April 19, 2000, 8:30 am. Hearing Room 4.

Discussing mental health ombudsman legislation.

HOUSE CALENDAR

FIFTY-FIFTH DAY, MONDAY, APRIL 17, 2000

HOUSE BILLS FOR SECOND READING

HB 2162 and HB 2163

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

1 HCS HB 1113 - Green

2 HB 1121 - Franklin

HOUSE BILLS FOR PERFECTION

1 HCS HB 1932 - Harlan

2 HB 1728, HCA 1 - Backer

3 HCS HB 1762 - Williams (159)

4 HB 1881 - Auer

5 HCS HB 1489, 1488 & 1650 - Kennedy

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1362, HS, as amended, pending - Harlan

2 HCS HB 1602, as amended - Leake

3 HCS HB 1143, as amended - Scheve

4 HCS HB 1574 & 1640 - Britt

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 1946 - Dougherty

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1711, (Fiscal Review, 4-12-00) - Abel
- 2 HCS HB 1569 - Bray
- 3 HB 1472 - Smith

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 1825 - Klindt
- 2 HB 1685 - Smith

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 39

SENATE JOINT RESOLUTION FOR SECOND READING

SJR 50

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 577
- 2 SS SB 902
- 3 SS SCS SB 925

SENATE BILL FOR THIRD READING - INFORMAL

HCS SS SB 549, HS, pending - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTY-FIFTH DAY, MONDAY, APRIL 17, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Almighty God, as the new week begins, we pause to give You our thanksgiving for Your blessings. Keep these men and women of the House, and those who help them, in Your peace. As their work intensifies, strengthen them with stamina, kindness and a strong dose of good humor.

To You be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kristine Kloss and Colin Duckworth.

The Journal of the fifty-fourth day was approved as corrected by the following vote:

AYES: 086

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 070

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kelley 47
King	Klindt	Legan	Linton	Lograsso

Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Murphy	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reinhart	Richardson	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Summers	Townley	Tudor	Vogel	Wright

PRESENT: 001

Reid

ABSENT WITH LEAVE: 005

Hoppe	Kasten	Levin	Ridgeway	Stokan
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1131 - Representative Richardson
House Resolution No. 1132
through
House Resolution No. 1145 - Representatives Gross and Bennett
House Resolution No. 1146 - Representative Davis (122)
House Resolution No. 1147 - Representative Kreider
House Resolution No. 1148 - Representative Ransdall
House Resolution No. 1149 - Representatives Burton, Surface and Marble
House Resolution No. 1150 - Representative Townley
House Resolution No. 1151 - Representative McClelland
House Resolution No. 1152
through
House Resolution No. 1155 - Representative Luetkemeyer
House Resolution No. 1156 - Representative Reynolds
House Resolution No. 1157 - Representative Barnett

SECOND READING OF HOUSE BILLS

HB 2162 and **HB 2163** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 39 was read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 50 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 577, **SS SB 902** and **SS SCS SB 925** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1698** and **HCS HB 1967**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1569 - Fiscal Review (Fiscal Note)

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1113, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1113** was adopted.

On motion of Representative Green, **HCS HB 1113** was ordered perfected and printed.

HB 1121, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 1121** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HB 1881, relating to state highways and road system, was taken up by Representative Auer.

Representative Blunt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1881, Page 5, Section 227.020, Line 133, by inserting after said line the following:

“subject to appropriation from general revenue”.

Representative Gratz offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Bill No. 1881, Page 5, Section 227.020, Line 133, by inserting after said line the following:

“, provided that state reimbursement shall not exceed the average state reimbursement for non-interstate roads.”.

Representative Dougherty assumed the Chair.

Representative Blunt offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Bill No. 1881, Page 5, Section 227.020, Line 133, by inserting after “roads” the following:

“This payment shall be subject to appropriation from general revenue.”.

Representative Blunt moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Akin	Alter	Auer	Ballard	Barnett
Bartelsmeyer	Bartle	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hohulin	Howerton	Kelley 47
King	Klindt	Legan	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Patek
Phillips	Pryor	Purgason	Reinhart	Richardson
Robirds	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

NOES: 092

Abel	Barry 100	Bennett	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson

Leake	Liese	Linton	Lograsso	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Ross	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 001

Reid

ABSENT WITH LEAVE: 007

Backer	Hoppe	Kasten	Levin	Pouche 30
Ridgeway	Stokan			

VACANCIES: 001

On motion of Representative Gratz, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 136

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Britt	Brooks
Burton	Campbell	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Dolan	Elliott	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Gambaro	Gaskill	George	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hampton	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Robirds	Ross	Sallee	Schilling	Schwab
Scott	Secrest	Selby	Shelton	Shields
Smith	Summers	Surface	Thompson	Treadway
Troupe	Tudor	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 42	Wright
Mr. Speaker				

NOES: 017

Bray 84	Days	Enz	Fraser	Gibbons
Hagan-Harrell	Hanaway	Harlan	Hendrickson	McLuckie
Murphy	Scheve	Seigfreid	Skaggs	Townley
Van Zandt	Wilson 25			

PRESENT: 000

ABSENT WITH LEAVE: 009

Backer	Champion	Dougherty	Hoppe	Kasten
Levin	Lograsso	Ridgeway	Stokan	

VACANCIES: 001

Representative Hollingsworth offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 1881, Page 19, Section 227.020, Line 643, by inserting after said line the following:

“Section 1. The general assembly directs the Missouri Department of Revenue to study and determine the amount of money contributed by each county and the city of St. Louis to the state road fund and the Missouri Department of Revenue shall compile the information in a report to be presented to the general assembly and the governor no later than December 1, 2000. Such report shall contain all requested findings and shall detail the fiscal principles and assumptions used to arrive at such findings.”.

Representative O'Toole offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Speaker Pro Tem Kreider resumed the Chair.

Representative Hollingsworth moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Abel	Akin	Alter	Auer	Barry 100
Bennett	Bonner	Boucher 48	Boykins	Bray 84
Brooks	Campbell	Curls	Davis 63	Days
Dolan	Dougherty	Enz	Evans	Farnen
Foley	Ford	Fraser	Gambaro	George
Gibbons	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hanaway	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hosmer	Kennedy	Kissell
Lakin	Liese	Linton	Loudon	Luetkenhaus
May 108	Mays 50	McClelland	McKenna	McLuckie
Merideth	Monaco	Murphy	Murray	O'Connor
O'Toole	Patek	Reid	Reynolds	Riley
Rizzo	Ross	Scheve	Schilling	Secrest
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Wilson 42
Mr. Speaker				

NOES: 079

Ballard	Barnett	Bartelsmeyer	Bartle	Berkowitz
Berkstresser	Black	Blunt	Boatright	Britt
Burton	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Davis 122	Fitzwater	Foster
Franklin	Froelker	Gaskill	Graham 106	Graham 24
Gratz	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hohulin	Howerton	Kelley 47	Kelly 27

King	Klindt	Koller	Kreider	Lawson
Leake	Legan	Lograsso	Long	Luetkemeyer
Marble	McBride	Miller	Myers	Naeger
Nordwald	Ostmann	Overschmidt	Parker	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reinhart
Relford	Richardson	Robirds	Sallee	Schwab
Scott	Seigfreid	Shields	Summers	Surface
Townley	Tudor	Vogel	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 007

Backer	Elliott	Hoppe	Kasten	Levin
Ridgeway	Stokan			

VACANCIES: 001

Representative Evans offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 1881, Page 16, Section 227.020, Line 539, by adding after the “.”, all of the following:

“Beginning at Highway 70 South to Olive Avenue, once the Highway 141, West County Expressway to Page Avenue construction project is completed, maintenance of this project shall be required of the Missouri Department of Transportation.”.

Representative Evans moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Abel	Akin	Alter	Auer	Barry 100
Burton	Chrismer	Curls	Davis 63	Dolan
Dougherty	Enz	Evans	Farnen	Foley
Ford	Froelker	George	Gibbons	Green
Griesheimer	Gross	Hanaway	Hartzler 123	Hegeman
Hendrickson	Hickey	Hilgemann	Howerton	Kelley 47
Kennedy	Kissell	Kreider	Legan	Liese
Linton	Loudon	May 108	McClelland	McKenna
Murray	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Reid	Reynolds	Richardson	Riley
Sallee	Schwab	Secrest	Shelton	Shields
Treadway	Wilson 42			

NOES: 094

Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Champion	Cierpiot	Clayton	Crawford
Crump	Davis 122	Days	Elliott	Foster
Franklin	Fraser	Gambara	Gaskill	Graham 106
Graham 24	Gratz	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 124	Hohulin	Hollingsworth	Hosmer
Kelly 27	King	Klindt	Koller	Lakin
Lawson	Leake	Lograsso	Luetkemeyer	Luetkenhaus
Marble	Mays 50	McBride	McLuckie	Merideth
Miller	Monaco	Myers	Naeger	Parker

Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reinhart	Relford	Rizzo	Robirds
Ross	Scheve	Schilling	Scott	Seigfreid
Selby	Skaggs	Smith	Summers	Surface
Thompson	Townley	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wright	Mr. Speaker	

PRESENT: 002

Brooks Holand

ABSENT WITH LEAVE: 009

Backer	Fitzwater	Hoppe	Kasten	Levin
Long	Murphy	Ridgeway	Stokan	

VACANCIES: 001

Representative Crawford offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 1881, Page 19, Section 227.020, Line 643, by inserting after said line the following:

“Section 1. In any county of the third classification without a township form of government and a population of at least 12,200 and not more than 12,300, the state shall assume control of and responsibility for Jacket Factory Road and for Industrial Road, running between state highway 50 and state highway 87.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Crawford moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Purgason offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Bill No. 1881, Page 9, Section 227.020, Line 274, by adding after said line the following:

“Beginning on State Route BB proceeding 3 miles on County Road 1540 to U.S. Highway 63. Beginning on U.S. Highway 160 proceeding 2 miles on County Road 8620 to State Route 17.”.

Representative Purgason moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Hollingsworth offered **House Amendment No. 6.**

Representative Auer raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Auer, **HB 1881, as amended**, was ordered perfected and printed by the following vote:

AYES: 087

Abel	Akin	Auer	Barry 100	Bennett
Blunt	Bonner	Boucher 48	Boykins	Bray 84
Brooks	Campbell	Chrismer	Clayton	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambaro	George
Gibbons	Graham 24	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hickey	Hilgemann	Holand	Hollingsworth	Hosmer
Kennedy	Kissell	Kreider	Lakin	Lawson
Liese	Linton	Loudon	Luetkenhaus	May 108
Mays 50	McClelland	McKenna	McLuckie	Monaco
Murphy	Murray	O'Connor	O'Toole	Ostmann
Overschmidt	Ransdall	Reid	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Secrest
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Williams 121	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 065

Alter	Ballard	Barnett	Bartelsmeyer	Bartle
Berkowitz	Berkstresser	Black	Boatright	Britt
Champion	Cierpiot	Crawford	Crump	Elliott
Foster	Gaskill	Graham 106	Gratz	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kelley 47	Kelly 27	King	Klindt	Koller
Leake	Legan	Lograsso	Long	Luetkemeyer
Marble	McBride	Merideth	Miller	Myers
Naeger	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Richardson	Robirds
Ross	Sallee	Schwab	Scott	Seigfreid
Shields	Summers	Surface	Townley	Tudor
Vogel	Ward	Wiggins	Williams 159	Wright

PRESENT: 000

ABSENT WITH LEAVE: 010

Backer	Burton	Froelker	Hoppe	Kasten
Levin	Nordwald	Ridgeway	Stokan	Wagner

VACANCIES: 001

Representative Scott requested verification of the roll call on the perfection of **HB 1881, as amended**.

HCS HBs 1489, 1488 & 1650, relating to immunizations of school children, was taken up by Representative Kennedy.

Representative Kennedy offered **HS HCS HBs 1489, 1488 & 1650**.

Representative Dolan offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Barry offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1489, 1488 & 1650, Page 4, Section 167.181, Line 8, by inserting immediately after said line the following:

- “167.629. 1. As used in this section, the following terms mean:**
- (1) "Director", the director of the department of health;**
 - (2) "Health assessment", a physical examination including determinations of health history, urinalysis, hemoglobin/hematocrit, basic cardiac assessment, pulmonary/respiratory function, hearing ability, vision ability, nutrition adequacy, and appropriate growth and development;**
 - (3) "Health facility", the same meaning as in chapter 197, RSMo;**
 - (4) "Local health department", any municipal, county or other board of health having jurisdiction over the place where any pupil affected by this section may reside;**
 - (5) "Nurse", a person licensed to practice professional nursing, as that term is defined in section 335.016, RSMo;**
 - (6) "Physician", the same meaning as in chapter 334, RSMo.**
- 2. Subject to the provisions of subsections 4 and 7 of this section, on and after September 1, 2001, every pupil up to the age of eleven years who has not previously enrolled in any public school in this state, prior to admission to and attendance in school, shall present to the appropriate school board the results of a health assessment, pursuant to subsection 7 of this section, which assessment shall have been conducted within twelve months of school entry by a physician or by a person acting under the direction of a physician. Information contained in the health assessment shall be confidential and shall not be disclosed or made public beyond that necessary pursuant to this section, except that:**
- (1) Information contained in the health assessment may be disclosed to school board personnel but only to the extent necessary to administer this section and protect the health of the pupil;**
 - (2) If a medical emergency exists, the information contained in the health assessment may be disclosed to medical personnel to the extent necessary to protect the health of the pupil;**
 - (3) If the parent or guardian of a pupil under eighteen years of age consents to the disclosure of the information contained in the health assessment or, if the pupil is eighteen years of age or older, if the pupil consents to the disclosure of the information; or**
 - (4) If no person can be identified in the information to be disclosed and the disclosure is for statistical purposes.**
- 3. As an alternative to the health assessment required pursuant to subsection 2 of this section, a pupil shall present:**
- (1) A written statement signed by one parent or guardian that the child is an adherent of a religious denomination whose religious teachings are opposed to such assessments; or**
 - (2) A written statement signed by one parent or guardian that such assessment will be scheduled and completed within ninety days after admission to school.**
- 4. Prior to the commencement of each public school year, the school board of every public school affected by this section shall give to all known pupils who will be enrolling in the school and who are subject to the requirements of subsection 2 or 3 of this section, a copy of any policy regarding the implementation of the provisions of this section adopted by the school board.**
- 5. If a pupil transfers from one public school to another, the school board of the school from which the pupil transfers shall forward with the pupil's transcript, upon request of the parent or guardian of the pupil therefor, the results of the health assessment showing evidence of compliance with the requirements of this section to the school board of the school to which the pupil transfers.**
- 6. Local health departments and health facilities may charge a sliding fee for providing such health assessments based on ability to pay and no pupil shall be denied the health assessment due to inability to pay. The local health officer shall counsel and advise local school boards on the administration of this section. The director may adopt rules and regulations to award grants to assist local health departments and health facilities in providing such health assessments, subject to appropriations.**

7. The director may adopt rules and regulations necessary to carry out the provisions of this section, but shall not prescribe a form on which the results of health assessments are reported.

8. The school board of every public school affected by this section may exclude from school attendance, or by policy adopted by any such school board authorize any certificated employee or committee of certificated employees to exclude from school attendance, any pupil who is subject to and who has not complied with the requirements of subsection 2 or 3 of this section. A pupil shall be subject to exclusion from school attendance pursuant to this section until such time as the pupil shall have complied with the requirements of subsection 2 or 3 of this section. The policy shall include provisions for written notice to be given to the parent or guardian of the involved pupil. The notice shall indicate the reason for the exclusion from school attendance, state that the pupil shall continue to be excluded until the pupil has complied with the requirements of subsection 2 or 3 of this section and inform the parent or guardian that a hearing thereon shall be afforded the parent or guardian upon request for a hearing.

9. The school board may adopt any additional requirements to any health assessment conducted pursuant to this section that it deems necessary.

10. No rule or portion of a rule promulgated pursuant to this section shall take effect unless such rule has been promulgated pursuant to chapter 536, RSMo.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Reid raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Barry moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Dolan offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1489, 1488 & 1650, Page 2, Section 167.181.3, Line 24, by inserting after the word “beliefs” the following:

“**philosophical beliefs**”; and

Further amend said subsection, Page 3, Line 1, by adding after the word “objection” the following:

“**is philosophical, a notarized statement must also be provided annually to the school administration. If the objection**”.

Speaker Gaw assumed the Chair.

Representative Legan offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1489, 1488 & 1650, Page 2, Section 167.181, Line 24, by inserting after the word “beliefs” the following:

“**philosophical beliefs**”; and

Further amend said bill: “**In cases where any such objection is philosophical, a notarized statement must also be provided to the school administrator.**”.

HCS HBs 1489, 1488 & 1650, with House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment No. 2 and HS, pending, was laid over.

SUPPLEMENTAL CALENDAR
April 17, 2000

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1811 - Kreider
- 2 HB 1464 - Ransdall
- 3 HCS HB 1927 - Wiggins
- 4 HB 1326 - Mays (50)
- 5 HCS HB 1961 - Fraser
- 6 HB 1768 - Ward
- 7 HB 1712 - McKenna

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 577 - Environment and Energy
SB 610 - Transportation

COMMITTEE REPORTS

Committee on Consumer Protection and Housing, Chairman Schilling reporting:

Mr. Speaker: Your Committee on Consumer Protection and Housing, to which was referred **SCS SB 721**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **SCS SB 530**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 542**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 22

WHEREAS, last session, in Senate Bill No. 386, the general assembly recognized changes made by the United States Congress to Section 451(h) of the Internal Revenue Code, which allow for favorable tax treatment for those pre-October 22, 1998, lottery winners currently receiving annual payments from annuities or securities who elect to receive a single cash payment of the remaining value of their prize within the eighteen-month period between July 1, 1999, and December 31, 2000; and

WHEREAS, as a result of the passage of Senate Bill No. 386 and the signature of such bill by the governor, section 313.351 became law effective August 28, 1999; and

WHEREAS, section 313.351 allows the state lottery commission to authorize pre-October 22, 1998, lottery winners currently receiving annual payments from annuities or securities to elect a single cash payment in lieu of remaining annual payments upon presentation of a plan to the general assembly and receipt of approval therefor from the general assembly by concurrent resolution; and

WHEREAS, the state lottery commission has submitted to the speaker of the house of representatives, the president pro tempore of the senate and the commissioner of the office of administration the details of its plan to allow state lottery prize winners who are currently receiving annual payments to receive the present value of the remaining payments at the date of execution a single cash payment in lieu of remaining annual payments pursuant to Section 451(h) of the Internal Revenue Code; and

WHEREAS, the plan specifies all details required by section 313.351, including details on obtaining the funds necessary to present the option of single cash payments to pre-October 22, 1998, lottery winners, data indicating fifty percent of such winners will choose a lump-sum option, data indicating that a one-time increase of total state revenues would occur in an approximate amount of four million six hundred thousand dollars and the lottery's belief that offering the single cash payments will provide a valuable service to lottery winners:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby determine that the state lottery commission's plan complies with the requirements of section 313.351, and that approving such plan will provide a valuable service to lottery winners which, in turn, will serve to further education in this state; and

BE IT FURTHER RESOLVED that the members of the Missouri House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby approve the state lottery commission's plan for implementing lump-sum payments for pre-October 21, 1998, lottery winners.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2164, introduced by Representative Blunt, relating to prosecution of election offenses.

HB 2165, introduced by Representatives Crawford, Surface, Graham (106) and Wright, to authorize the conveyance of certain property.

HB 2166, introduced by Representatives Crawford, Surface, Graham (106) and Wright, relating to the conveyance and easement of certain state property.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, April 18, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-third Day, Wednesday, April 12, 2000, pages 921 and 922, roll call, by showing Representative Gross voting "aye" rather than "absent with leave".

Correct House Journal, Fifty-fourth Day, Thursday, April 13, 2000, page 946, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 947 and 948, roll call, by showing Representative Days voting "aye" rather than "absent with leave".

Pages 948 and 949, roll call, by showing Representative Bennett voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 19, 2000, 8:00 am. Hearing Room 1. AMENDED.

To be considered - SB 944, SB 1051, Executive Session - SB 617, Executive Session - SB 757

COMMERCE

Tuesday, April 18, 2000. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

To be considered - SB 802, SB 867

CRIMINAL LAW

Wednesday, April 19, 2000. Hearing Room 1 upon morning adjournment.
To be considered - HB 1188, HB 2103, SB 934

ENVIRONMENT AND ENERGY

Tuesday, April 18, 2000. Side gallery upon morning adjournment.
Executive Session.

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY AND PLANNING

Thursday, April 20, 2000, 8:30 am. Hearing Room 1.
Enterprise zones. Regarding application extensions.

JUDICIARY

Tuesday, April 18, 2000. Hearing Room 5 upon morning adjournment.
Executive Session to follow. AMENDED.
To be considered - SB 678

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 18, 2000. Hearing Room 7 upon morning adjournment.
Executive Session may follow.
To be considered - SB 760, SB 868, SB 946, SB 1050

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, April 20, 2000, 9:00 am. Hearing Room 4.
To be considered - HCR 31, HCR 34, HR 504, HR 550, HR 557, HR 573

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 18, 2000. Hearing Room 1 upon morning adjournment.
Executive Session to follow.
To be considered - SB 1053

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, April 18, 2000, 8:00 am. Hearing Room 6.
Executive Session will follow.
To be considered - SB 756, SB 763, SB 806

SUBCOMMITTEE ON ENVIRONMENT AND ENERGY

Tuesday, April 18, 2000, 9:00 am. Senator Westfall's office Room 220.
To be considered - SB 558

SUBCOMMITTEE ON PUBLIC HEALTH

Wednesday, April 19, 2000, 8:30 am. Hearing Room 4.
Discussing mental health ombudsman legislation.

WAYS AND MEANS

Tuesday, April 18, 2000, 1:00 pm. Hearing Room 6.

Executive Session. To be considered - HB 1745, HB 2142

HOUSE CALENDAR

FIFTY-SIXTH DAY, TUESDAY, APRIL 18, 2000

HOUSE BILLS FOR SECOND READING

HB 2164 and HB 2166

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40 - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45 - May (108)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1932 - Harlan
- 2 HB 1728, HCA 1 - Backer
- 3 HCS HB 1762 - Williams (159)
- 4 HCS HB 1489, 1488 & 1650, HSA 1 for HA 2, HA 2, and HS, pending - Kennedy
- 5 HCS HB 1811 - Kreider
- 6 HB 1464 - Ransdall
- 7 HCS HB 1927 - Wiggins
- 8 HB 1326 - Mays (50)
- 9 HCS HB 1961 - Fraser
- 10 HB 1768 - Ward
- 11 HB 1712 - McKenna
- 12 HB 2011 - Overschmidt
- 13 HCS HB 1747 - Barry
- 14 HCS HB 1888 - Wilson (42)
- 15 HB 2102 - Hampton
- 16 HB 1066, HCA 1 - Riback Wilson (25)
- 17 HB 1394 - Murray
- 18 HB 1159 - Boucher
- 19 HB 1280 - Clayton
- 20 HB 1502 - Smith
- 21 HCS HB 1547 - Scheve
- 22 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 23 HB 1546 - Smith
- 24 HCS HB 1606 - Bray
- 25 HCS HB 1225 - Hosmer
- 26 HCS HB 1540 - Green
- 27 HCS HB 1942 - Liese
- 28 HCS HB 1578 - Shelton

- 29 HB 2056 - Gunn
- 30 HCS HB 1718 - Smith
- 31 HCS HB 1966 - Hosmer
- 32 HCS HB 1997 - Smith
- 33 HCS HB 1336 - Lakin
- 34 HCS HB 1780 - Liese
- 35 HCS HB 1816 - Hosmer
- 36 HCS HB 1357 - Bonner
- 37 HB 1872 - Seigfreid
- 38 HCS HB 1674 - Graham (24)
- 39 HCS HB 1154 - Boucher
- 40 HCS HB 2114 - Hoppe

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HCS HB 1574 & 1640 - Britt

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 1946 - Dougherty

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 1113 - Green
- 2 HB 1121 - Franklin

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1711, (Fiscal Review, 4-12-00) - Abel
- 2 HCS HB 1569, (Fiscal Review, 4-17-00) - Bray
- 3 HB 1472 - Smith
- 4 HCS HB 1967, E.C. - Hoppe
- 5 HCS HB 1698, E.C. - Shelton

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 1825 - Klindt
- 2 HB 1685 - Smith

SENATE BILL FOR THIRD READING - INFORMAL

HCS SS SB 549, HS, pending - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTY-SIXTH DAY, TUESDAY, APRIL 18, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, our history and our experiences remind us so many times that You do guide us that we should not doubt Your power or presence. There are times when we doubt our beliefs and believe our doubts. In these times, help us to seek Your will and strive to live Your will as we find it. Give to those chosen to lead strength of conviction and dedication to selfless service of the people of Missouri.

Bless these men and women of the House and those who work with them.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Katherine Summers, Sybil Paris, Lynnsey Stacey, James W. Russell, Jennifer Thompson, Sonya Brock, Amanda Young, Pakendra Brown, Sieretha Jones, Jessica Miller, Leslie Russell, Hunter Hendricks, Trisha McNeive, McKenzie Mortimer, Hannah Faucett, Maria Gaw, Jared Wortman, Brent Lange, Sarah Conrad, Bethany Bodenhamer, Amanda Chappell, Logan Hickman, Teofil Polocoser, Mallory Bond, Bree Fyffe, Chelsea Fyffe, Brittney Loch, Nate Morley, Boyd Koch, Michael O'Riley, Andrew Swinford, Kim Larabee, Tommy Bloom, Maria Casaleggi, Anna Casaleggi, Becky Schroeder, Kim Schneider, Whitney Richard, Carlo Licea, Joe Kueny, Nathan Jennings, Brad Beaty, Erica Boyce, Cindy Clark, Aaron Treece, Chris Ducos, Barrie Patrick, Stanlee Miller, Rusty Wharton, Nicole (Niki) Wilson, Anthony Mesnier, Trinity Parker, Ben Vasquez, Jonathan Meany, Christian Schaefer, Kristin Becker, Annie Collins, Michael Hart, Tyler Scott, Amber Hewitt, Brent Dunkel, Natalie Meng, Kent Barnett, Jacob Showalter, Amanda Hollingsworth, Jena Pringer, Kelly Boeckman, Alison Braun, Caitlin Donnely, Stephanie Hill, Hillary Rutledge, A.J. Neal, Katie Sargent, James Pratt, Hannah Hicks, John Barnes, Jennifer Lyeki, Becky Rotert, Jessica Althouse, Jacob Boehler, Cole Jurgensmeyer, Rachel Lyday, Ryan Williams, Rebecca Stanley, Eric Harris, Lauren Walkenhorst, Sarah Farnan, Annie Tetor, Natalie Johnson, Jessica Ramsey, Katie Demski, Paula Leach, Tania Mantia, Kyla Holweg, Cybil Paris, Katie Fowler, Drew Cotton, Daniel Bauer, Dustin Bauer, Caleb Ridge, Arielle Gault, Cassie Hussey, Kyle Constant, Katie Dodd, Liana Presser, Nuzhat Chowdhury, Natalie Vargas, Chelsea Page, Ellen Beverley, Sonja Vignale, Alicia Seibel, Meg Burke, Mairi Lough, Derek Loudermilk, Adam Brauer, Megan Pfander, Kelly Bauer, Sheila Bauer, Toni Roper, Alyssa Brown, Aminat Danmole, Liana Boone, Shawn Fitzpatrick, Kevin Pratt, Chrissie Haislup, Rebecca Johnson and Kristi Voytas.

The Journal of the fifty-fifth day was approved as corrected by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kelley 47	King	Klindt	Legan	Levin
Linton	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Robards	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 004

Kasten	Lograsso	Ridgeway	Stokan
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1158 - Representative Monaco
 House Resolution No. 1159
 and
 House Resolution No. 1160 - Representative Merideth
 House Resolution No. 1161 - Representative Ward

SECOND READING OF HOUSE BILLS

HB 2164 through **HB 2166** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1113, HB 1121 and HB 1881**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILLS

HCS HB 1932, relating to managed care, was placed on the Informal Calendar.

HB 1728, with House Committee Amendment No. 1, relating to state purchasing, was placed on the Informal Calendar.

HCS HBs 1489, 1488 & 1650, with House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment No. 2 and HS, pending, relating to immunizations of school children, was taken up by Representative Kennedy.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Legan offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1489, 1488 & 1650, Page 2, Section 167.181.3, Line 24, by inserting after the word “beliefs,” the following:

“, **philosophical beliefs**”; and

Further amend said subsection, Page 3, Line 1, by adding after the word “objection” the following:

“**is philosophical, a notarized statement must also be provided to the school administrator. If the objection**”.

Representative Abel assumed the Chair.

Representative Crump moved the previous question on **House Substitute Amendment No. 1 for House Amendment No. 2**.

Which motion was adopted by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Graham 106	Hagan-Harrell	Kasten	Ridgeway	Stokan
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VACANCIES: 001

Representative Legan moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Gratz	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kelley 47	King	Klindt	Koller
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Richardson	Robirds	Ross	Sallee

Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Vogel	Wagner	Wright

NOES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Graham 24	Green	Gunn	Hampton
Harlan	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kennedy	Kissell	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Tudor	Van Zandt
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 005

Davis 63	Hagan-Harrell	Kasten	Ridgeway	Stokan
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VACANCIES: 001

Representative Hollingsworth offered **House Substitute Amendment No. 2 for House Amendment No. 2.**

*House Substitute Amendment No. 2
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1489, 1488 & 1650, Page 2, Section 167.181, Line 24 of said page, by inserting after the word “beliefs” the following:

“, **philosophical beliefs**”; and

Further amend said section, Page 3, Line 1, by adding after the word “objection” the following:

“**is philosophical, a notarized statement must also be provided annually to the school administrator. If the objection**”; and

Further amend said section, Page 3, Line 3 of said page, by adding at the end of said line the following:

“**Philosophical objections shall be permitted only for varicella and hepatitis A**”.

Speaker Pro Tem Kreider resumed the Chair.

Speaker Gaw assumed the Chair.

On motion of Representative Hollingsworth, **House Substitute Amendment No. 2 for House Amendment No. 2** was adopted.

HCS HBs 1489, 1488 & 1650, with HS, as amended, pending, was laid over.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SB 902 - Professional Registration and Licensing

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SCS SB 597 - Children, Youth and Families

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Maija Suzanne Prins Steinberg.

RESOLUTION

Representative Skaggs offered House Resolution No. 1163

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1162 - Representative Boykins
House Resolution No. 1164 - Representative Legan
House Resolution No. 1165 - Representative Howerton
House Resolution No. 1166 - Representative Hartzler (124)
House Resolution No. 1167 - Representative Abel

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1881 - Fiscal Review (Fiscal Note)

PERFECTION OF HOUSE BILLS

HCS HBs 1489, 1488 & 1650, with HS, as amended, pending, relating to immunizations of school children, was again taken up by Representative Kennedy and placed on the Informal Calendar.

Representative Abel resumed the Chair.

HCS HB 1762, relating to agricultural marketing, was taken up by Representative Williams (159).

Representative Williams (159) offered **HS HCS HB 1762**.

Representative Kreider offered **House Amendment No. 1**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1762, Page 8, Section 261.038, Line 22 of said page, by inserting after all of said line the following:

"Section 1. 1. Sections 1 to 3 of this act shall be known and may be cited as the "Farmland Protection Act".

2. The purpose of the farmland protection act shall be to:

- (1) Protect agricultural, horticultural and forestry land;
- (2) Promote the continued economic viability of agriculture, horticulture and forestry as a business;
- (3) Promote the continued economic viability of those businesses dependent on providing materials, equipment and services to agriculture, horticulture or forestry; and
- (4) Promote quality of life in the agriculture community.

Section 2. 1. The state or any political subdivision shall hold water and sewer assessments in abeyance, without interest, until improvements on such property are connected to the water or sewer system for which the assessment was made.

2. This section shall only apply to tracts of real property:

- (1) Comprised of ten or more contiguous acres; and
- (2) Used as agricultural or single family residential property or both; and
- (3) Not in a platted subdivision.

3. At the time improvements on such property are connected to either the water or sewer system, the owner shall pay to the political subdivision an amount equal to the proportionate charge for the number of system lines connected to improvements on such property.

4. The owner shall not be charged based on the total cost of running the water or sewer assessments to or across the owner's real property. Rather, the assessment shall be based on:

- (1) A reasonable hookup charge; and
- (2) A proportionate charge for the number of improvements requested to be connected to such assessments in relation to the total capacity of the system; and
- (3) The anticipated proportionate burden to the system.

5. The period of abeyance shall end when the owner exercises the option to connect to the improvements for which the assessment was made.

6. When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution, so long as said terms are not inconsistent with sections 1 to 3 of this act. To the extent that such terms are inconsistent, the provisions of sections 1 to 3 of this act shall control.

7. Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest.

8. The political subdivision responsible for assessments shall notify the owner of the amount proposed to be charged and the terms of payment for each improvement requested to be connected to said assessment. The notice shall:

- (1) Be provided in writing to the owner at the address provided by the owner as the address for receiving receipt of notice;
- (2) Be sent by certified mail, return receipt requested within forty-five days of receipt of the request for hookup from the owner;
- (3) State in the body of the letter as follows: "As owner of the property proposed to be assessed, you have thirty days from the date of receipt of this notice to accept, in writing, the amount of the assessment stated herein or to appeal the amount to the circuit court of the county where the real property is located".

9. If the owner disputes the amount of assessment when the period of abeyance ends, the owner may appeal the amount of the assessment to the circuit court of the county in which the application was filed within thirty days of the receipt of the notice.

10. Nothing in this section is intended to diminish the authority of counties to hold assessments in abeyance.

Section 3. Property subject to the farmland protection act may not be taken in whole or in part by any political subdivision of this state by eminent domain except after a public hearing pursuant to chapter 610, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Gaw resumed the Chair.

On motion of Representative Kreider, **House Amendment No. 1** was adopted.

Representative Graham (24) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1762, Page 1, Section A, Line 12 of said page, by inserting after all of said line the following:

"32.105. As used in sections 32.100 to 32.125, the following terms mean:

- (1) "Affordable housing assistance activities", money, real or personal property, or professional services expended or devoted to the construction, or rehabilitation of affordable housing units;
- (2) "Affordable housing unit", a residential unit generally occupied by persons and families with incomes at or below the levels described in this subdivision and bearing a cost to the occupant no greater than thirty percent of the maximum eligible household income for the affordable housing unit. In the case of owner-occupied units, the cost to the occupant shall be considered the amount of the gross monthly mortgage payment, including casualty insurance, mortgage insurance, and taxes. In the case of rental units, the cost to the occupant shall be considered the amount of the gross rent. The cost to the occupant shall include the cost of any utilities, other than telephone. If any utilities are paid directly by the occupant, the maximum cost that may be paid by the occupant is to be reduced by a utility allowance prescribed by the commission. Persons or families are eligible occupants of affordable housing units if the household combined, adjusted gross income as defined by the commission is equal to or less than the following percentages of the median family income for the geographic area in which the residential unit is located, or the median family income for the state of Missouri, whichever is larger; ("geographic area" means the metropolitan area or county designated as an area by the federal Department of Housing and Urban Development under Section 8 of the United States Housing Act of 1937, as amended, for purposes of determining fair market rental rates):

Size of Household
One Person

Percent of State or
Geographic Area Family
Median Income
35%

Two Persons	40%
Three Persons	45%
Four Persons	50%
Five Persons	54%
Six Persons	58%
Seven Persons	62%
Eight Persons	66%

(3) "Business firm", person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state;

(4) "Commission", the Missouri housing development commission;

(5) "Community services", any type of counseling and advice, emergency assistance or medical care furnished to individuals or groups in the state of Missouri or transportation services at below-cost rates as provided in sections 208.250 to 208.275, RSMo;

(6) "Crime prevention", any activity which aids in the reduction of crime in the state of Missouri;

(7) "Defense industry contractor", a person, corporation or other entity which will be or has been negatively impacted as a result of its status as a prime contractor of the Department of Defense or as a second or third tier contractor. A "second tier contractor" means a person, corporation or other entity which contracts to perform manufacturing, maintenance or repair services for a prime contractor of the Department of Defense, and a "third tier contractor" means a person, corporation or other entity which contracts with a person, corporation or other entity which contracts with a prime contractor of the Department of Defense;

(8) "Doing business", among other methods of doing business in the state of Missouri, a partner in a firm or a shareholder in an S corporation shall be deemed to be doing business in the state of Missouri if such firm or S corporation, as the case may be, is doing business in the state of Missouri;

(9) "Economic development", the acquisition, renovation, improvement, or the furnishing or equipping of existing buildings and real estate in distressed or blighted areas of the state when such acquisition, renovation, improvement, or the furnishing or equipping of the business development projects will result in the creation or retention of jobs within the state; or, until June 30, 1996, a defense conversion pilot project located in a standard metropolitan statistical area which contains a city with a population of at least three hundred fifty thousand inhabitants, which will assist Missouri-based defense industry contractors in their conversion from predominately defense-related contracting to nondefense-oriented manufacturing. Only neighborhood organizations, as defined in subdivision (13) of this section, may apply to conduct economic development projects. Prior to the approval of an economic development project, the neighborhood organization shall enter into a contractual agreement with the department of economic development. Credits approved for economic development projects may not exceed four million dollars from within any one fiscal year's allocation. Neighborhood assistance program tax credits for economic development projects and affordable housing assistance as defined in section 32.111, may be transferred, sold or assigned by a notarized endorsement thereof naming the transferee;

(10) "Education", any type of scholastic instruction or scholarship assistance to an individual who resides in the state of Missouri that enables the individual to prepare himself or herself for better opportunities or community awareness activities rendered by a statewide organization established for the purpose of archeological education and preservation;

(11) **"Eligible farmer's market", a group of farmers, each of whom farms agricultural land located within this state which he or she rents or owns, and who have formed a group for the purpose of allowing each member farmer to sell his or her products derived from his or her farming activities to the public at a common structure or building when at least fifty percent of the costs of such structure or building are paid for by such group of farmers;**

(12) **"Farms" and "farming activities", using or cultivating land for the production of (a) agricultural crops; (b) livestock or livestock products; (c) poultry or poultry products; (d) milk or dairy products; or (e) fruit or other horticultural products, provided; however, "farms" and "farming activities" shall not include a processor of farm products or a distributor of farming supplies contracting to provide spraying, harvesting or other farming services;**

(13) "Homeless assistance pilot project", the program established pursuant to section 32.117;

[(12)] (14) "Job training", any type of instruction to an individual who resides in the state of Missouri that enables the individual to acquire vocational skills so that the individual can become employable or be able to seek a higher grade of employment;

[(13)] (15) "Neighborhood organization", any organization performing community services or economic development activities in the state of Missouri and:

(a) Holding a ruling from the Internal Revenue Service of the United States Department of the Treasury that the organization is exempt from income taxation pursuant to the provisions of the Internal Revenue Code; or

(b) Incorporated in the state of Missouri as a not for profit corporation pursuant to the provisions of chapter 355, RSMo; or

(c) Designated as a community development corporation by the United States government pursuant to the provisions of Title VII of the Economic Opportunity Act of 1964;

[(14)] (16) "Physical revitalization", furnishing financial assistance, labor, material, or technical advice to aid in the physical improvement or rehabilitation of any part or all of a neighborhood area;

[(15)] (17) "S corporation", a corporation described in Section 1361(a)(1) of the United States Internal Revenue Code and not subject to the taxes imposed by section 143.071, RSMo, by reason of section 143.471, RSMo;

[(16)] (18) "Workfare renovation project", any project initiated pursuant to sections 215.340 to 215.355, RSMo."; and

Further amend said bill, Page 8, Section 261.038, Line 22 of said page, by inserting after all of said line the following:

**"261.110. 1. The department of agriculture shall develop standards and labeling for organic farming.
2. The department of agriculture shall adopt rules to implement the provisions of this section.
3. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Loudon raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Graham (24), **House Amendment No. 2** was adopted.

Representative Hartzler (124) offered **House Amendment No. 3**.

Representative Clayton raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Williams (159), **HS HCS HB 1762, as amended**, was adopted.

On motion of Representative Williams (159), **HS HCS HB 1762, as amended**, was ordered perfected and printed.

HB 1464, relating to funeral merchandising practices, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HB 1464** was ordered perfected and printed.

HB 1326, relating to public service commission orders, was taken up by Representative Mays (50).

Speaker Pro Tem Kreider resumed the Chair.

On motion of Representative Mays (50), **HB 1326** was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 40, relating to compensation of elected officials, was taken up by Representative Graham (24).

Representative Dougherty assumed the Chair.

Representative Scott offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Scott offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 40, Page 1, Section 3, Line 1, by placing a bracket before Section 3; and

Further amend said bill, Page 4, Line 91, by placing a bracket after assembly.; and

Further amend said bill by removal of the internal brackets and boldface.

Representative Scott moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bennett	Boatright	Burton	Chrismer	Cierpiot
Clayton	Crawford	Dolan	Elliott	Enz
Evans	Foster	Gibbons	Graham 106	Gratz
Griesheimer	Gross	Hegeman	Hendrickson	Hohulin
Holand	Howerton	King	Kissell	Klindt
Koller	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Pouche 30	Purgason
Reid	Reinhart	Richardson	Rizzo	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Vogel
Wright				

NOES: 089

Abel	Backer	Bartle	Berkowitz	Berkstresser
Black	Blunt	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Champion
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham 24	Green	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kreider	Lakin	Lawson	Leake
Liese	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Patek	Pryor
Ransdall	Relford	Reynolds	Riley	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Tudor
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer	Barry 100	Crump	Kasten	Kelley 47
Ridgeway	Stokan			

VACANCIES: 001

Representative Blunt offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Joint Resolution No. 40, Page 4, Line 91, by inserting after said line the following:

“**The General Assembly shall never appropriate funds which retroactively increase a member’s salary.**”;
and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Kreider resumed the Chair.

On motion of Representative Blunt, **House Amendment No. 2** was adopted by the following vote:

AYES: 128

Abel	Alter	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Bray 84	Britt	Burton	Campbell	Champion
Chrismer	Cierpiot	Crawford	Davis 122	Days
Dolan	Elliott	Enz	Evans	Fitzwater
Foley	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hohulin	Holand
Hollingsworth	Hoppe	Howerton	Kelly 27	Kissell
Klindt	Koller	Kreider	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso

Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Smith	Summers	Surface
Thompson	Townley	Treadway	Tudor	Vogel
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 017

Clayton	Curls	Davis 63	Dougherty	Farnen
Ford	Gunn	Hagan-Harrell	Hilgemann	Kennedy
O'Connor	O'Toole	Ross	Shelton	Skaggs
Troupe	Van Zandt			

PRESENT: 003

Boykins	Brooks	Riley
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ABSENT WITH LEAVE: 014

Akin	Auer	Barry 100	Crump	Hosmer
Kasten	Kelley 47	King	Lakin	Long
Murphy	Ridgeway	Stokan	Wagner	

VACANCIES: 001

Representative Purgason requested verification of the roll call on the adoption of **House Amendment No. 2.**

Representative Hanaway offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Joint Resolution No. 40, Page 4, Line 91, by inserting after all of said line the following:

“12. The schedule of compensation shall not become effective until it is approved by a majority of those qualified voters in this state voting on the first Tuesday next following the first Monday in November, 2002, or at a special election to be called by the governor for that purpose and every two years thereafter.”.

HJR 40, as amended, with House Amendment No. 3, pending, was laid over.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1163 - Accounts, Operations and Finance

COMMITTEE REPORTS

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **HB 1649**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HB 1368**, begs leave to report it has examined the same and recommends that it **Do Pass.**

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 1122, introduced by Representative Franklin, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2000.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 2167, introduced by Representative Dougherty, relating to operation of motor vehicles.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 29**.

SENATE CONCURRENT RESOLUTION NO. 29

WHEREAS, the General Assembly finds, for the purpose of streamlining and simplifying sales and use tax imposition and collection for the twenty-first century, that:

Missouri should simplify sales and use taxes to reduce the administrative burden on the collection of sales and use taxes by both single state and multistate taxpayers and vendors;

State and local tax systems should treat transactions in a competitively neutral manner;

A simplified sales and use tax system that treats all transactions in a competitively neutral manner will strengthen and preserve the sales and use tax as vital state and local revenue sources and will preserve state fiscal sovereignty;

Remote sellers should neither receive preferential tax treatment at the expense of local "main street" merchants, nor be burdened with special, discriminatory or multiple taxes; and

While states have the sovereign right to set their own tax policies, states working together have the opportunity to develop a more simple, uniform and fair system of state sales and use taxation without federal government mandates of interference; and

WHEREAS, the General Assembly directs the Missouri Department of Revenue to enter into discussions with other states regarding the development of a multistate, voluntary, streamlined system for sales and use tax collection and administration. Such discussions shall focus on a system that would have the capability to determine whether transactions are taxable or tax exempt, the appropriate tax rate applicable to transactions, the total tax due on

transactions, the provision of a method to collect and remit sales and use taxes to the state and the development of a joint request for information from potential public and private parties governing the specification for the system; and

WHEREAS, discussions between the Department of Revenue and other states may also include, but shall not be limited to providing compensation for the costs of collecting and remitting sales and use taxes; the mechanism for compensating parties for the development and operation of such system; the establishment of minimum statutory simplification measures necessary for state participation in such system; and the establishment of measures to preserve confidentiality of taxpayer information and privacy rights of consumers; and

WHEREAS, upon the conclusion of its discussions with other state, the Department of Revenue shall issue a joint request for information; and

WHEREAS, the Department of Revenue is authorized to participate in a sales tax pilot project with other states and selected businesses to test means for simplifying sales and use tax administration, and to enter into joint agreements, which terminate no later than December 31, 2001, for that purpose. Agreements to participate in the test shall establish provisions for the administration, imposition and collection of sales and use taxes resulting in revenues paid that are equal to those that would otherwise be paid pursuant to chapter 144, RSMo. Parties to the agreements are excused from complying with the provisions of chapter 144, RSMo, to the extent a different procedure is required by the agreements, except for confidentiality of taxpayer information as discussed in this resolution; and

WHEREAS, tax return information submitted to any party or parties' action for and on behalf of this state shall be treated as confidential taxpayer information. Disclosure of confidential taxpayer information shall only be made pursuant to a written agreement between the Department of Revenue and the party or parties. Such party or parties shall be bound by the same requirements of confidentiality as the Department of Revenue pursuant to section 32.057, RSMo; and

WHEREAS, the General Assembly herein creates the Multistate Tax Compact Advisory Committee to provide legislative oversight of this effort. The committee shall consist of two members of the Senate appointed by the President Pro Tem, two members of the House of Representatives appointed by the Speaker, the director of the Department of Revenue, the Attorney General and his or her designee, and a member of the Governor's staff to be designated by the Governor. The committee shall meet on a monthly basis at the request of the director of the Department of Revenue, who shall be the chairman, or more often if requested by a majority of the committee members; and

WHEREAS, the committee shall provide a quarterly report on the progress of the multistate tax discussion and other tax simplification efforts to the President Pro Tem of the Senate, the Speaker of the House of Representatives and the Governor. By October 1, 2001, the committee shall also provide to the President Pro Tem of the Senate, the Speaker of the House of Representatives and the Governor a final report on the status of multistate discussions, including information as to whether a proposed system has been agreed upon by participating states and whether or not Missouri should participate in such agreed upon system:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby determine that streamlining and simplifying sales and use tax systems in this state will promote commerce in this state and hereby direct the Department of Revenue to work toward the goal of streamlining and simplifying sales and use taxes in this state in a manner as specified herein and as overseen by the Multistate Tax Compact Advisory Committee created herein; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Department of Revenue.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 35**.

SENATE CONCURRENT RESOLUTION NO. 35

WHEREAS, the members of the Missouri General Assembly deem it fitting and proper to honor citizens who have served this state and have touched the lives of many individuals; and

WHEREAS, Hardin Charles Cox was born on March 4, 1928 in Rock Port, Missouri; and

WHEREAS, Hardin C. Cox was educated at Rock Port Public Schools and the University of Missouri-Columbia where he received a degree in business and public administration; and

WHEREAS, while attending the University of Missouri, Hardin C. Cox was a member of the football team and participated in the 1945 Cotton Bowl and the 1948 Gator Bowl games; and

WHEREAS, on January 6, 1952, Hardin C. Cox married Miss Virginia Ann Heifner and they have two sons, Charles and Mark; and

WHEREAS, Hardin C. Cox served the United States Army, Japan Occupational Force Signal Corps, 1946-1948 as a corporal and United States Artillery, United States Forces in Korea, 1952-1953 as a first lieutenant; and

WHEREAS, Hardin C. Cox served in the Missouri General Assembly as a Representative and a Senator; was elected to the Missouri House of Representatives in 1964 and served until 1972 and was elected to the Senate in 1974 and served until 1982; and

WHEREAS, Hardin C. Cox has owned and operated Cox and Son Insurance Agency and the Hardin Cox Real Estate, Farm Loan Agency since 1953:

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby join in honoring Hardin C. Cox, by designating the tourist information center located on interstate highway 29 in Atchison County as the "Hardin C. Cox Missouri Information Center"; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Missouri Department of Tourism.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 36**.

SENATE CONCURRENT RESOLUTION NO. 36

WHEREAS, care for the elderly constitutes a vital service within the State of Missouri; and

WHEREAS, the delivery of care and other services to the elderly is a complex issue and deserving of organized study and review; and

WHEREAS, the Division of Aging is an integral part of the management and delivery of care and other services to the elderly; and

WHEREAS, the organization and oversight of the Division of Aging by the Department of Social Services is in a period of re-evaluation and little time exists to study the best overall solution:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on the Transfer of the Division of Aging" to be composed of seven members of the Senate and seven members of the House of Representatives; and

BE IT FURTHER RESOLVED the committee shall make an in-depth study of the transfer of the Division of Aging and shall determine the benefits or detriments, including the financial ramifications, of such a transfer on the elderly population. The committee shall make such recommendations as it deems necessary and shall be authorized to function from August 1, 2000, to January 5, 2001; and

BE IT FURTHER RESOLVED that the President Pro Tem of the Senate and the Speaker of the House of Representatives shall appoint the members of the committee by July 1, 2000, and such committee shall meet within ten days of its establishment and organize by selecting a chairman and vice-chairman, one of whom shall be a member of the Senate and the other a member of the House of Representatives; and

BE IT FURTHER RESOLVED that the committee shall prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the Governor and the General Assembly by December 1, 2000; and

BE IT FURTHER RESOLVED that the staff of Senate Research and House Research and the Committee on Legislative Research shall provide such legal, clerical, technical and bill drafting services as the committee may require in the performance of its duties. The expenses of each staff shall be paid from the contingency fund of their respective departments; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor, the President Pro Tem of the Senate, and the Speaker of the House of Representatives.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 37**.

SENATE CONCURRENT RESOLUTION NO. 37

Authorizes the creation of the Missouri-Mississippi River Delta Authority.

WHEREAS, the President of the United States has proposed the creation of a Mississippi Delta Regional Authority; and

WHEREAS, the Mississippi Delta Regional Authority would bring the resources of a Federal-State partnership to the region for economic growth and to provide the infrastructure and job training needed to make prosperity possible in the Delta; and

WHEREAS, the seven affected counties in Missouri desire to participate with the Mississippi Delta Regional Authority in any policy development and programs for the Delta area:

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby authorize the creation of the "Missouri-Mississippi River Delta Authority" which shall participate in any policy development and subsequent programs created by the Mississippi Delta Regional Authority; and

BE IT FURTHER RESOLVED that the Missouri-Mississippi River Delta Authority shall make recommendations to the General Assembly regarding policy development, programs and interstate compacts; and

BE IT FURTHER RESOLVED that the Missouri-Mississippi River Delta Authority shall be composed of one county commissioner from each of the counties of Scott, Mississippi, New Madrid, Pemiscot, Dunklin, Stoddard and Butler; two members of the Senate, appointed by the President Pro Tem, both of whom represent the area included in the authority; and two members of the House of Representatives, appointed by the Speaker, both of whom represent the area included in the authority; and

BE IT FURTHER RESOLVED that the Department of Economic Development shall provide professional, legal and clerical staff for the Missouri-Mississippi River Delta Authority; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Governor Mel Carnahan.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1101**, entitled:

An act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1102**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 2000 and ending June 30, 2001.

With Senate Amendment No. 2

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1102 , Page 3, Section 2.020, Line 26, by inserting after "Development" the following:

"; provided that for any district which has, for at least five years immediately preceding the year in which the error is discovered, adopted a calendar for the school term in which elementary schools are in session for twelve months of each calendar year, any error made in the apportionment of state aid to such district because of a difference between the actual number of eligible pupils and the estimated number of eligible pupils shall be corrected as provided in section 163.091, RSMo, and subsection 1 of section 163.036, RSMo, except that if the amount paid exceeds the amount to which the district was actually entitled by more than five percent and the

district provides written application to the state board requesting that the deductions be made pursuant to this section, then the amounts shall be deducted pursuant to this section. For deductions made pursuant to this section, interest at the rate of six percent shall be charged on the excess and shall be included in the amount deducted and the total amount of such excess plus accrued interest shall be deducted from the district's apportionment in equal monthly amounts beginning with the succeeding school year and extending for a period of months specified by the district in its written request and no longer than sixty months".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1103**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1103, Pages 2 and 3, Section 3.040, Lines 3 and 4, by striking "\$292,060" on Page 2, Line 3, and placing in lieu thereof "**\$331,959**" and by striking "\$200,593" on Page 3, Line 4, and placing in lieu thereof "**\$160,694**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1104**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1105**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

With Senate Amendment No. 1 and Senate Amendment No. 2

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1105, Pages 15 and 16, Section 5.300, by deleting the Section in its entirety; and

Further amend said bill, Page 16, Section 5.305, by deleting the Section in its entirety.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1105, Page 2, Section 5.015, Line 7, by deleting the number "75,630" and inserting in lieu thereof the number "**37,815**"; and

Further amend said section, Line 8, by deleting the number "11,200" and inserting in lieu thereof the number "**5,600**"; and

Further amend said section, Line 9, by deleting the number "86,830" and inserting in lieu thereof the number "**43,415**"; and

Further amend said section, by deleting line 10, and inserting in lieu thereof the following:

"Total (Not to exceed 31.80)\$1,706,415".

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Wednesday, April 19, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-fifth Day, Monday, April 17, 2000, pages 962 and 963, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 964 and 965, roll call, by showing Representative Fitzwater voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Thursday, April 20, 2000, 9:45 am. Room 414.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, April 20, 2000, 8:30 am. Hearing Room 3.

Dept. of Social Services Division of Family Services Re: CTS Funds.

BUDGET

Wednesday, April 19, 2000. Hearing Room 3 upon morning adjournment.

Possible Executive Session. To be considered - HB 1122

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 19, 2000, 8:00 am. Hearing Room 1.

AMENDED. To be considered - SB 944, SB 1051,
Executive Session - SB 617, Executive Session - SB 757

CORRECTIONAL AND STATE INSTITUTIONS

Wednesday, April 19, 2000. Hearing Room 4 upon morning adjournment.

Executive Session to follow.

To be considered - SB 1059

CRIMINAL LAW

Wednesday, April 19, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1188, HB 2103, SB 934

ENVIRONMENT AND ENERGY

Thursday, April 20, 2000, 8:30 am. Hearing Room 7.

Executive Session may follow.

To be considered - SB 577

FISCAL REVIEW

Wednesday, April 19, 2000, 8:30 am. Hearing Room 6.

Executive Session.

To be considered - HB 1569, HB 1711

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY AND PLANNING

Thursday, April 20, 2000, 8:30 am. Hearing Room 1.

Enterprise zones. Regarding application extensions.

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, April 20, 2000, 9:00 am. Hearing Room 4.

To be considered - HCR 31, HCR 34, HR 504, HR 550, HR 557, HR 573

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 20, 2000, 9:00 am. Side gallery.

Possible Executive Session.

To be considered - SB 850, SB 902

SUBCOMMITTEE ON PUBLIC HEALTH

Wednesday, April 19, 2000, 8:30 am. Hearing Room 4.

Discussing mental health ombudsman legislation.

UTILITIES REGULATION

Thursday, April 20, 2000, 8:30 am. Hearing Room 6.

Executive Session may or may not follow. AMENDED.

To be considered - HB 1778, HB 1842, HB 1895

HOUSE CALENDAR

FIFTY-SEVENTH DAY, WEDNESDAY, APRIL 19, 2000

HOUSE BILL FOR SECOND READING

HB 2167

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1122

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45, HCA 1 - Scheve

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1811 - Kreider
- 2 HCS HB 1927 - Wiggins
- 3 HCS HB 1961 - Fraser
- 4 HB 1768 - Ward
- 5 HB 1712 - McKenna
- 6 HB 2011 - Overschmidt
- 7 HCS HB 1747 - Barry
- 8 HCS HB 1888 - Wilson (42)
- 9 HB 2102 - Hampton
- 10 HB 1066, HCA 1 - Riback Wilson (25)
- 11 HB 1394 - Murray
- 12 HB 1159 - Boucher
- 13 HB 1280 - Clayton
- 14 HB 1502 - Smith
- 15 HCS HB 1547 - Scheve
- 16 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 17 HB 1546 - Smith
- 18 HCS HB 1606 - Bray
- 19 HCS HB 1225 - Hosmer
- 20 HCS HB 1540 - Green
- 21 HCS HB 1942 - Liese
- 22 HCS HB 1578 - Shelton
- 23 HB 2056 - Gunn
- 24 HCS HB 1718 - Smith
- 25 HCS HB 1966 - Hosmer
- 26 HCS HB 1997 - Smith
- 27 HCS HB 1336 - Lakin
- 28 HCS HB 1780 - Liese
- 29 HCS HB 1816 - Hosmer

- 30 HCS HB 1357 - Bonner
- 31 HB 1872 - Seigfreid
- 32 HCS HB 1674 - Graham (24)
- 33 HCS HB 1154 - Boucher
- 34 HCS HB 2114 - Hoppe
- 35 HCS HB 1649 - Williams (121)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HCS HB 1574 & 1640 - Britt
- 5 HCS HB 1932 - Harlan
- 6 HB 1728, HCA 1 - Backer
- 7 HCS HB 1489, 1488 & 1650, HS, as amended, pending - Kennedy

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 1946 - Dougherty

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 29, (4-13-00, pg. 951) - Graham (24)
- 2 HCR 23, (3-16-00, pg. 646) - Bray
- 3 HCR 4, (2-24-00, pg. 399) - Kennedy
- 4 HCR 22, (4-17-00, pg. 970) - Liese
- 5 HCR 27, (4-13-00, pg. 951) - Ross
- 6 HCR 28, (4-11-00, pg. 916) - Van Zandt

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 1113 - Green
- 2 HB 1121 - Franklin

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1711, (Fiscal Review, 4-12-00) - Abel
- 2 HCS HB 1569, (Fiscal Review, 4-17-00) - Bray
- 3 HB 1472 - Smith
- 4 HCS HB 1967, E.C. - Hoppe
- 5 HCS HB 1698, E.C. - Shelton
- 6 HB 1881, (Fiscal Review, 4-18-00) - Auer

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 1685 - Smith

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

- 1 SCR 29
- 2 SCR 35
- 3 SCR 36
- 4 SCR 37

SENATE BILL FOR THIRD READING - INFORMAL

HCS SS SB 549, HS, pending - Van Zandt

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1101 - Franklin
- 2 SCS HCS HB 1102, as amended - Lakin
- 3 SCS HCS HB 1103, as amended - Lakin
- 4 SCS HCS HB 1104 - Green
- 5 SCS HCS HB 1105, as amended - Green

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, WEDNESDAY, APRIL 19, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Harold Butler, Northern Baptist Church, St. Louis.

O Lord, Our God, Ruler of the nations, regard with favor all members of the Senate and of the House of Representatives, the presiding officers, and all other officials. Endow them with a high sense of responsibility of the office to which they have been elected. Make them immune to the temptations of selfish interests. Fill them with knowledge and wisdom, that the resolutions adopted and the laws enacted may meet Your standards and be for the good of all people.

Bless our country, bless our government, bless all people, and make this nation a blessing to the people of the world. In the name of Your Son and our Redeemer we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amanda O'Connell, Courtney Wiesenhan, Lizzie Griesedieck, Kevin Donnelly, Elise Desloge, Brittani Kelsey, Austin Gray, Heather Woodley, Becky Thole, David Neislein, Mandi Pohlman, Cory Wucher, Adam McKenzie, Kayla Stierwalt, Patrick O'Brian, Rosemary Rolls, Takendra Brown, Crystal Vahrenhold, Kyle Morin, John Oungst, Jacqueline Slavin, Brandon Keith Jackson, Devin Spears, Jordan Michael Matteucci, John Paul Matteucci, Georgiana Candice Matteucci and Ashleigh Grace Clemensen.

The Journal of the fifty-sixth day was approved as corrected by the following vote:

AYES: 081

Abel	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Gunn	Hagan-Harrell
Hampton	Harlan	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

1001 *Journal of the House*

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer	Gaskill	Green	Hickey	Lakin
Ridgeway	Stokan			

VACANCIES: 001

RESOLUTION

HR 233 was taken up by the Missouri House of Representatives and read.

House Resolution No. 233

WHEREAS, it is with a tremendous sense of pride that the members of the Missouri House of Representatives pause to recognize an outstanding group of athletes who have distinguished themselves as the world champions of professional football; and

WHEREAS, on January 30, 2000, the St. Louis Rams culminated their unbelievable season as they walked away with the Super Bowl XXXIV Championship after defeating the Tennessee Titans during a nail-biting game that ended with a Rams victory of 23-16; and

WHEREAS, following a 16-0 lead at the half, the Tennessee Titans came back to tie the score at 16-all until Wide Receiver Isaac Bruce completed a 73-yard touchdown pass to put the Rams out in front, where they anticipated a victory until the Titans made their way into the red zone in the final minutes of the game; and

WHEREAS, both teams fearing an overtime sudden death, the last play of the game came when Outside Linebacker Mike Jones, the pride of the University of Missouri, prevented a touchdown attempt made by Titan Kevin Dyson with a textbook tackle at the one-yard line as time expired; and

WHEREAS, Super Bowl XXXIV was highlighted by contributions from NFL and Super Bowl MVP Quarterback Kurt Warner, who broke a Super Bowl Record with 414 yards passing; Wide Receiver Isaac Bruce, who made six receptions for 162 yards; Wide Receiver Torry Holt, who made one touchdown and seven receptions for 109 yards; and NFL Offensive Player of the Year Running Back Marshall Faulk, who holds the new NFL All-Time Yards from Scrimmage Record at 2,429 yards; and

WHEREAS, the Super Bowl Championship Team sparkled with the stunning talent of eight Pro Bowl players, including Kurt Warner, Marshall Faulk, Adam Timmerman, Todd Lyght, Kevin Carter, Isaac Bruce, D'Marco Farr, and Orlando Pace; and

WHEREAS, the oldest Head Coach ever to win a Super Bowl title, NFL Coach of the Year Dick Vermeil led the Rams to glory after culminating his long and illustrious career with his third Super Bowl victory and his first trip to the Super Bowl in nineteen years; and

WHEREAS, the St. Louis Rams scored more points than any other team in the NFL this season to win their first Super Bowl and to become Missouri's first Super Bowl Champions since the Kansas City Chiefs in 1970:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, unanimously join in extending our most hearty congratulations to Rams owner Georgia Frontiere, Head Coach Dick Vermeil, and the entire coaching staff and players of the St. Louis Rams Football Team for bringing the coveted Lombardi Trophy home to the Show-Me State; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the St. Louis Rams.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1168 - Representative McClelland
House Resolution No. 1169
and
House Resolution No. 1170 - Representative Patek
House Resolution No. 1171 - Representative Schwab
House Resolution No. 1172 - Representative Hartzler (124)
House Resolution No. 1173 - Representative Townley
House Resolution No. 1174
through
House Resolution No. 1178 - Representative Fitzwater
House Resolution No. 1179 - Representative Fraser
House Resolution No. 1180 - Representative Hegeman

SECOND READING OF HOUSE BILL

HB 2167 was read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1122 was read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 29, SCR 35, SCR 36 and SCR 37 were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1326, HB 1464** and **HS HCS HB 1762**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 1762 - Fiscal Review (Fiscal Note)

HB 1122 - Budget

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1101, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **SCS HCS HB 1101** was adopted by the following vote:

AYES: 145

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham 106	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	May 108	Mays 50	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Murphy

PRESENT: 001

Reid

ABSENT WITH LEAVE: 015

Auer	Bartle	Boucher 48	Elliott	Gibbons
Green	Hickey	Kelley 47	Lakin	Luetkenhaus
McBride	Naeger	Ridgeway	Secrest	Stokan

VACANCIES: 001

On motion of Representative Franklin, **SCS HCS HB 1101** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	May 108
Mays 50	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Blunt	Crawford	Green	Hickey
Lakin	Luetkenhaus	McBride	Miller	Phillips
Ridgeway	Stokan			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

SCS HCS HB 1102, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1102, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1103, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1103, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1104, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1104** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1105, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1105, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HBs 1489, 1488 & 1650, with HS, as amended, pending, relating to immunizations of school children, was taken up by Representative Kennedy.

Representative Seigfreid offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1489, 1488 & 1650, Pages 4-5, Section 192.905, by deleting all of said section; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Seigfreid, **House Amendment No. 3** was adopted.

Representative Shields offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1489, 1488 & 1650, Page 2, Section 167.181, Line 8, by deleting the word “attending” and replacing with the words “**entering their education in**”.

HCS HBs 1489, 1488 & 1650, with House Amendment No. 4 and HS, as amended, pending, was laid over.

Representative Hollingsworth assumed the Chair.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1569 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1711 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 22**.

SENATE CONCURRENT RESOLUTION NO. 22

WHEREAS, Robert Ward served the citizenry of District 107 as a member of the Missouri House of Representatives from 1982 to 1996; and

WHEREAS, Robert Ward's commitment to public service was exemplified by his tenure in the Missouri House of Representatives, where he served as Majority Floor Leader from 1991 to 1994 and as Majority Whip from 1987 to 1990:

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, do hereby instruct the Missouri Highway Commission and the Department of Transportation to take action immediately to name a section of Route 32, St. Francois County, from west of Route B (Park Hill) to 0.4 miles west of Route 67 (Leadington), with a total length of 3.5 miles, the "State Representative Bob Ward Highway", to honor Robert Ward for his many years of commitment to public service; and

BE IT FURTHER RESOLVED that the designation of the State Representative Bob Ward Highway be completed no later than July 15, 2000; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for Robert Ward, the Missouri Highway Commission and the Department of Transportation.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Keshia L. Young.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1181 - Representative Ford
House Resolution No. 1182 - Representative Sallee
House Resolution No. 1183 - Representative Kelly (27), et al
House Resolution No. 1184 - Representative Williams (159)

PERFECTION OF HOUSE BILL - INFORMAL

HCS HBs 1489, 1488 & 1650, with House Amendment No. 4 and HS, as amended, pending, relating to immunizations of school children, was again taken up by Representative Kennedy.

House Amendment No. 4 was withdrawn.

On motion of Representative Kennedy, **HS HCS HBs 1489, 1488 & 1650, as amended**, was adopted.

On motion of Representative Kennedy, **HS HCS HBs 1489, 1488 & 1650, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILL - INFORMAL

HCS SS SB 549, with HS, pending, relating to Tobacco Settlement Fund, was taken up by Representative Van Zandt.

Representative Lawson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. The state treasurer shall monthly transfer from monies being transferred into the tobacco settlement trust fund to the “Agriculture Economic Development Trust Fund” an amount equal to three and one-half percent of the tobacco settlement fund. Moneys in the agriculture economic development trust fund shall be appropriated solely for the purpose of developing opportunities for rural communities and family farms. The three and one-half percent transferred to the agriculture economic development fund shall be distributed as follows: (a) one percent to communities and farmers affected by the tobacco settlement and (b) two and one-half percent to other rural communities and family farms.”.

Representative Monaco assumed the Chair.

Speaker Gaw resumed the Chair.

Representative Van Zandt offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 2, Section 196.1014, Line 10, by inserting after the word **“people”** the following:

“and such money shall only be appropriated pursuant to the provisions of said constitutional amendment”; and

Further amend said line, by deleting the words **“or January 3, 2003, whichever occurs sooner”**.

Representative Loudon raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 2** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Van Zandt moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

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AYES: 064

Abel	Barry 100	Berkowitz	Bonner	Boucher 48
Boykins	Bray 84	Brooks	Campbell	Clayton
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kennedy
Kreider	Leake	Mays 50	McBride	McClelland
McKenna	McLuckie	Monaco	Murray	O'Toole
Overschmidt	Parker	Relford	Riley	Rizzo
Scheve	Schilling	Shelton	Skaggs	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Williams 121	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 093

Akin	Alter	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkstresser	Black
Blunt	Boatright	Britt	Burton	Champion
Chrismer	Cierpiot	Crawford	Dolan	Elliott
Enz	Evans	Foster	Froelker	Gaskill
Gibbons	Graham 106	Gratz	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
Kelly 27	King	Kissell	Klindt	Koller
Lakin	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Merideth	Miller
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Patek	Phillips	Pouche 30	Purgason
Ransdall	Reid	Reinhart	Reynolds	Richardson
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	Smith
Summers	Surface	Townley	Tudor	Vogel
Wiggins	Williams 159	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Auer	Crump	Pryor	Ridgeway	Stokan
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VACANCIES: 001

Representative Lawson moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

HCS SS SB 549, with HS, pending, was placed back on the Informal Calendar.

PERFECTION OF HOUSE BILLS

HCS HB 1811, relating to Farmland Protection Act, was taken up by Representative Kreider.

Representative Kreider offered **HS HCS HB 1811**.

Representative Williams (159) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1811, Page 4, Section 3, Line 9 of said page, by inserting after all of said line the following:

"32.110. Any business firm which engages in the activities of providing physical revitalization, economic development, job training or education for individuals, community services, or crime prevention in the state of Missouri shall receive a tax credit as provided in section 32.115 if the director of the department of economic development annually approves the proposal of the business firm; except that, no proposal shall be approved which does not have the endorsement of the agency of local government within the area in which the business firm is engaging in such activities which has adopted an overall community or neighborhood development plan that the proposal is consistent with such plan. The proposal shall set forth the program to be conducted, the neighborhood area to be served, why the program is needed, the estimated amount to be contributed to the program and the plans for implementing the program. If, in the opinion of the director of the department of economic development, a business firm's contribution can more consistently with the purposes of sections 32.100 to 32.125 be made through contributions to a neighborhood organization as defined in subdivision (12) of section 32.105, tax credits may be allowed as provided in section 32.115. The director of the department of economic development is hereby authorized to promulgate rules and regulations for establishing criteria for evaluating such proposals by business firms for approval or disapproval and for establishing priorities for approval or disapproval of such proposals by business firms with the assistance and approval of the director of the department of revenue. The total amount of tax credit granted for programs approved pursuant to sections 32.100 to 32.125 shall not exceed fourteen million dollars in fiscal year 1999 and twenty-six million dollars in fiscal year 2000, and any subsequent fiscal year, except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117. All tax credits authorized pursuant to the provisions of sections 32.100 to 32.125 may be used as a state match to secure additional federal funding. **Contributing funds to help finance a building or structure and any equipment necessary therein which is located within this state and used to sell or add value to agricultural food products grown or produced in Missouri by family farm corporations, as defined in subdivision (5) of section 350.010, RSMo, family farms as defined in subdivision (4) of section 350.010, RSMo, and value-added agricultural products produced by eligible new generation cooperatives, as defined in section 348.430, RSMo. The total amount of tax credits allowed for programs described in the preceding sentence is two and one-half million dollars per fiscal year for fiscal years 2002 to 2006.**

261.031. The marketing program currently known as AgriMissouri is renamed "Producer's Choice".

261.032. The director of the department of agriculture shall, for the use of the marketing division of the department of agriculture, develop and implement rules and regulations by product category for all Missouri agricultural products included in the producer's choice marketing program, formerly known as AgriMissouri, or any equivalent successor program. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it is promulgated pursuant to chapter 536, RSMo.

261.037. 1. There is hereby created in the state treasury for the use of the marketing division of the state department of agriculture a fund to be known as "The Missouri Agricultural Products Marketing Development Fund". The general assembly shall appropriate to the fund from the general revenue fund one million three hundred thousand dollars for fiscal year 2002, one million dollars for fiscal year 2003 and seven hundred fifty thousand dollars for fiscal years 2003 to 2006. All moneys received by the state department of agriculture for Missouri agricultural products marketing development from any source, including trademark fees, shall be deposited in the fund. Moneys deposited in the fund shall, upon appropriation by the general assembly to the state department of agriculture, be expended by the marketing division of the state department of agriculture for purposes of Missouri agricultural products marketing development as specified in this section. The unexpended balance in the Missouri agricultural products marketing development fund at the end of the biennium shall not be transferred to the ordinary revenue fund of the state treasury and accordingly shall be exempt from the provisions of section 33.080, RSMo, relating to transfer of funds to the ordinary revenue funds of the state by the state treasurer.

2. There is hereby created within the department of agriculture the "Citizens' Advisory Commission for Marketing Missouri Agricultural Products". The commission shall establish guidelines for the spending by the marketing division of the department of agriculture of all moneys in the Missouri agricultural products marketing development fund created pursuant to subsection 1 of this section. The guidelines shall focus on the promotion of the Producer's Choice or successor trademark associated with Missouri agricultural products

which has been approved by the general assembly, and shall advance the following objectives:

- (1) Increasing the impact and fostering the effectiveness of local efforts to promote Missouri agricultural products;
- (2) Enabling and encouraging expanded advertising efforts for Missouri agricultural products;
- (3) Encouraging effective, high-quality advertising projects, innovative marketing strategies, and the coordination of local, regional and statewide marketing efforts;
- (4) Providing training and technical assistance to cooperative-marketing partners.

The commission shall establish a fee structure for sellers electing to use the producer's choice or successor trademark associated with Missouri agricultural products. Under the fee structure: (1) A seller having gross annual sales greater than two million dollars per fiscal year of Missouri agricultural products which constitute the final product of a series of processes or activities shall remit to the marketing division of the department of agriculture, at such times and in such manner as may be prescribed, a trademark fee of one-half of one percent of the aggregate amount of all of such seller's wholesale sales of products carrying the producer's choice or successor trademark; and (2) All sellers having gross annual sales less than or equal to two million dollars per fiscal year of Missouri agricultural products which constitute the final product of a series of processes or activities shall, after three years of selling Missouri agricultural products carrying the producer's choice or successor trademark, shall remit to the marketing division of the department of agriculture, at such times and in such manner as may be prescribed, a trademark fee of one-half of one percent of the aggregate amount of all of such seller's wholesale sales of products carrying the producer's choice or successor trademark. All trademark fees shall be deposited to the credit of the Missouri agricultural products marketing development fund, created pursuant to section 261.037. The commission may also create two additional trademark labels to be associated with Missouri agricultural products which are certified organic products and certified family farm produced products.

3. The marketing division of the department of agriculture is authorized to promote rules consistent with the guidelines and fee structure established by the commission. No rules or portion of a rule shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

4. The commission shall consist of nine members appointed by the governor with the advice and consent of the senate. One member shall be the director of the market development division of the department of agriculture. At least one member shall be a specialist in advertising; at least one member shall be a specialist in agribusiness; at least one member shall be a specialist in the retail grocery business; at least one member shall be a specialist in communications; at least one member shall be a specialist in product distribution; at least one member shall be a family farmer with expertise in livestock farming; at least one member shall be a family farmer with expertise in grain farming and at least one member shall be a family farmer with expertise in organic farming. Members shall serve for four-year terms, except in the first appointments three members shall be appointed for terms of four years, three members shall be appointed for terms of three years and three members shall be appointed for terms of two years each. Any member appointed to fill a vacancy of an unexpired term shall be appointed for the remainder of the term of the member causing the vacancy. The governor shall appoint a chairperson of the commission, subject to ratification by the commission.

5. Commission members shall receive no compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties on the commission. The division of market development of the department of agriculture shall provide all necessary staff and support services as required by the commission to hold commission meetings, to maintain records of official acts and to conduct all other business of the commission. The commission shall meet quarterly and at any such time that it deems necessary. Meetings may be called by the chairperson or by a petition signed by a majority of the members of the commission. Ten days notice shall be given in writing to such members prior to the meeting date. A simple majority of the members of the commission shall be present to constitute a quorum. Proxy voting shall not be permitted.

261.038. The marketing division of the department of agriculture shall create an Internet web site for the purpose of fostering the marketing of Missouri agricultural products over the Internet. The web site shall allow consumers to place orders for Missouri agricultural products over the Internet and shall enable small companies which process Missouri agricultural products to pool products with other such small companies."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Williams (159), **House Amendment No. 1** was adopted.

Representative Graham (24) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1811, Page 1, Section 1, Line 5 of said page, by inserting before all of said line the following:

"32.105. As used in sections 32.100 to 32.125, the following terms mean:

(1) "Affordable housing assistance activities", money, real or personal property, or professional services expended or devoted to the construction, or rehabilitation of affordable housing units;

(2) "Affordable housing unit", a residential unit generally occupied by persons and families with incomes at or below the levels described in this subdivision and bearing a cost to the occupant no greater than thirty percent of the maximum eligible household income for the affordable housing unit. In the case of owner-occupied units, the cost to the occupant shall be considered the amount of the gross monthly mortgage payment, including casualty insurance, mortgage insurance, and taxes. In the case of rental units, the cost to the occupant shall be considered the amount of the gross rent. The cost to the occupant shall include the cost of any utilities, other than telephone. If any utilities are paid directly by the occupant, the maximum cost that may be paid by the occupant is to be reduced by a utility allowance prescribed by the commission. Persons or families are eligible occupants of affordable housing units if the household combined, adjusted gross income as defined by the commission is equal to or less than the following percentages of the median family income for the geographic area in which the residential unit is located, or the median family income for the state of Missouri, whichever is larger; ("geographic area" means the metropolitan area or county designated as an area by the federal Department of Housing and Urban Development under Section 8 of the United States Housing Act of 1937, as amended, for purposes of determining fair market rental rates):

Size of Household	Percent of State or Geographic Area Family Median Income
One Person	35%
Two Persons	40%
Three Persons	45%
Four Persons	50%
Five Persons	54%
Six Persons	58%
Seven Persons	62%
Eight Persons	66%

(3) "Business firm", person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state;

(4) "Commission", the Missouri housing development commission;

(5) "Community services", any type of counseling and advice, emergency assistance or medical care furnished to individuals or groups in the state of Missouri or transportation services at below-cost rates as provided in sections 208.250 to 208.275, RSMo;

(6) "Crime prevention", any activity which aids in the reduction of crime in the state of Missouri;

(7) "Defense industry contractor", a person, corporation or other entity which will be or has been negatively impacted as a result of its status as a prime contractor of the Department of Defense or as a second or third tier contractor. A "second tier contractor" means a person, corporation or other entity which contracts to perform manufacturing, maintenance or repair services for a prime contractor of the Department of Defense, and a "third tier

contractor" means a person, corporation or other entity which contracts with a person, corporation or other entity which contracts with a prime contractor of the Department of Defense;

(8) "Doing business", among other methods of doing business in the state of Missouri, a partner in a firm or a shareholder in an S corporation shall be deemed to be doing business in the state of Missouri if such firm or S corporation, as the case may be, is doing business in the state of Missouri;

(9) "Economic development", the acquisition, renovation, improvement, or the furnishing or equipping of existing buildings and real estate in distressed or blighted areas of the state when such acquisition, renovation, improvement, or the furnishing or equipping of the business development projects will result in the creation or retention of jobs within the state; or, until June 30, 1996, a defense conversion pilot project located in a standard metropolitan statistical area which contains a city with a population of at least three hundred fifty thousand inhabitants, which will assist Missouri-based defense industry contractors in their conversion from predominately defense-related contracting to nondefense-oriented manufacturing. Only neighborhood organizations, as defined in subdivision (13) of this section, may apply to conduct economic development projects. Prior to the approval of an economic development project, the neighborhood organization shall enter into a contractual agreement with the department of economic development. Credits approved for economic development projects may not exceed four million dollars from within any one fiscal year's allocation. Neighborhood assistance program tax credits for economic development projects and affordable housing assistance as defined in section 32.111, may be transferred, sold or assigned by a notarized endorsement thereof naming the transferee;

(10) "Education", any type of scholastic instruction or scholarship assistance to an individual who resides in the state of Missouri that enables the individual to prepare himself or herself for better opportunities or community awareness activities rendered by a statewide organization established for the purpose of archeological education and preservation;

(11) **"Eligible farmer's market", a group of farmers, each of whom farms agricultural land located within this state which he or she rents or owns, and who have formed a group for the purpose of allowing each member farmer to sell his or her products derived from his or her farming activities to the public at a common structure or building when at least fifty percent of the costs of such structure or building are paid for by such group of farmers;**

(12) **"Farms" and "farming activities", using or cultivating land for the production of (a) agricultural crops; (b) livestock or livestock products; (c) poultry or poultry products; (d) milk or dairy products; or (e) fruit or other horticultural products, provided; however, "farms" and "farming activities" shall not include a processor of farm products or a distributor of farming supplies contracting to provide spraying, harvesting or other farming services;**

(13) "Homeless assistance pilot project", the program established pursuant to section 32.117;

[(12)] (14) "Job training", any type of instruction to an individual who resides in the state of Missouri that enables the individual to acquire vocational skills so that the individual can become employable or be able to seek a higher grade of employment;

[(13)] (15) "Neighborhood organization", any organization performing community services or economic development activities in the state of Missouri and:

(a) Holding a ruling from the Internal Revenue Service of the United States Department of the Treasury that the organization is exempt from income taxation pursuant to the provisions of the Internal Revenue Code; or

(b) Incorporated in the state of Missouri as a not for profit corporation pursuant to the provisions of chapter 355, RSMo; or

(c) Designated as a community development corporation by the United States government pursuant to the provisions of Title VII of the Economic Opportunity Act of 1964;

[(14)] (16) "Physical revitalization", furnishing financial assistance, labor, material, or technical advice to aid in the physical improvement or rehabilitation of any part or all of a neighborhood area;

[(15)] (17) "S corporation", a corporation described in Section 1361(a)(1) of the United States Internal Revenue Code and not subject to the taxes imposed by section 143.071, RSMo, by reason of section 143.471, RSMo;

[(16)] (18) "Workfare renovation project", any project initiated pursuant to sections 215.340 to 215.355, RSMo."; and

Further amend said bill, Page 8, Section 261.038, Line 22 of said page, by inserting after all of said line the following:

"261.110. 1. The department of agriculture shall develop standards and labeling for organic farming.
2. The department of agriculture shall adopt rules to implement the provisions of this section.
3. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Graham (24), **House Amendment No. 2** was adopted.

On motion of Representative Kreider, **HS HCS HB 1811, as amended**, was adopted.

On motion of Representative Kreider, **HS HCS HB 1811, as amended**, was ordered perfected and printed.

HCS HB 1961, relating to missing and stolen pets, was taken up by Representative Fraser.

Representative Elliott offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1961, Page 2, Line 17, by inserting after the (.) on Line 17, the following:

"The department shall also require a photographic likeness of any stolen doggie to appear on the back of all 50 lb. bags of "Ol Roy" dog chow NOT TO EXCEED 10 dogs per sack. The following breeds of vicious dogs will not be allowed to be featured Rottweiler, German Shepard, Doberman and Pit Bull."

Representative Elliott moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Hanaway offered **House Amendment No. 2**.

Representative Britt raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Miller offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1961, Page 2, Section 570.033, Line 21, by bracketing out "the prosecutor" and inserting in lieu thereof the following: **"a department of Law enforcement"**.

On motion of Representative Miller, **House Amendment No. 2** was adopted.

Representative Seigfreid offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1961, Page 1, Section 570.033, Line 4, by deleting the word "C" and insert in lieu thereof "D"; and

Further amend said section, Line 5, by deleting the word "C" and inserting in lieu thereof the word "D"; and

Further amend Section 257.035, Line 4, by deleting the word "C" and inserting in lieu thereof the word "D".

Representative Seigfreid moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Levin offered **House Amendment No. 4**.

Representative Britt raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Fraser, **HCS HB 1961, as amended**, was adopted.

On motion of Representative Fraser, **HCS HB 1961, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILL - INFORMAL

HCS SS SB 549, with HS, pending, relating to Tobacco Settlement Fund, was again taken up by Representative Van Zandt.

Representative Hanaway offered **House Amendment No. 3**.

Representative Monaco raised a point of order that **House Amendment No. 3** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Campbell offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.014, Line 8, by inserting after said line the following:

"7. The patent and intellectual property provisions of the federal Bayh-Dole Act, codified in 35 U.S.C. Sections 200 et. al., are fully incorporated herein by reference with the state of Missouri taking the place of the terms "federal government" or "federal agency"."

Representative Klindt offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

Representative Monaco raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** is not a true substitute amendment.

The Chair ruled the point of order well taken.

On motion of Representative Campbell, **House Amendment No. 3** was adopted.

Representative Levin offered **House Amendment No. 4**.

Representative Monaco raised a point of order that **House Amendment No. 4** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Van Zandt offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.014, Line 8, by inserting after said line the following:

"7. Notwithstanding any other provisions of law to the contrary, nothing in this section shall prohibit the general assembly from authorizing the sale of the state's future interest in the proceeds of any tobacco award or settlement for present valuation."

Representative Levin offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

Representative Monaco raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is not a true substitute amendment.

The Chair ruled the point of order well taken.

On motion of Representative Van Zandt, **House Amendment No. 4** was adopted.

Representative Blunt offered **House Amendment No. 5**.

Representative Monaco raised a point of order that **House Amendment No. 5** was a negative motion and goes beyond the scope of the bill.

The Chair ruled the first point of order not well taken.

The Chair ruled the second point of order well taken.

Representative Levin offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.014, Line 8, by inserting after said line the following:

“All proceeds received from any tobacco award or settlement shall be considered general revenue.”.

Representative Van Zandt raised a point of order that **House Amendment No. 5** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

Representative Monaco raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Marble offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.014, Line 8, by inserting after said line the following:

“All proceeds received from any tobacco award or settlement shall be considered total state revenue for purposes of Article 10 of Missouri Constitution.”.

Representative Marble moved that **House Substitute Amendment No. 1 for House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Gaskill	Gibbons	Graham 106	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kasten	Kelley 47	King	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	Miller	Murphy
Myers	Naeger	Nordwald	Patek	Phillips

Pouche 30	Purgason	Reid	Reinhart	Richardson
Robirds	Ross	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Vogel
Wright				

NOES: 084

Backer	Barry 100	Berkowitz	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Campbell
Champion	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Tudor	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 012

Abel	Auer	Froelker	Griesheimer	McClelland
Ostmann	Pryor	Ridgeway	Sallee	Stokan
Troupe	Wilson 25			

VACANCIES: 001

Representative Levin moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Gaskill	Gibbons	Graham 106	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kelley 47	King	Klindt	Leake
Legan	Levin	Lograsso	Long	Loudon
Luetkemeyer	Marble	Miller	Myers	Naeger
Nordwald	Patek	Phillips	Pouche 30	Purgason
Reinhart	Richardson	Robirds	Ross	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Vogel	Wright		

NOES: 081

Backer	Barry 100	Berkowitz	Black	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Koller	Kreider	Lakin	Lawson	Liese

Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Tudor	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 018

Abel	Auer	Froelker	Griesheimer	Gunn
Kasten	Kissell	Linton	McClelland	Murphy
Ostmann	Pryor	Reid	Ridgeway	Sallee
Stokan	Troupe	Wilson 25		

VACANCIES: 001

Representative Lawson offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. One percent of the tobacco settlement trust fund shall be appropriated to the Department of Agriculture for direct distribution to farmers hurt by the tobacco settlement, who are quota holders, tenant farmers and tobacco growers. An additional two and one-half percent of the tobacco settlement moneys shall be deposited in the new generation cooperative incentive program.”.

Representative Van Zandt raised a point of order that **House Amendment No. 6** is dilatory.

The Chair ruled the point of order not well taken.

On motion of Representative Lawson, **House Amendment No. 6** was adopted by the following vote:

AYES: 097

Alter	Backer	Ballard	Barnett	Bartelsmeyer
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Britt	Burton	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Davis 122
Dolan	Elliott	Enz	Evans	Farnen
Fitzwater	Ford	Foster	Gaskill	George
Graham 106	Gratz	Green	Gross	Hampton
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hohulin	Hollingsworth	Hoppe	Howerton	Kasten
Kelley 47	Kelly 27	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Liese	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	May 108	Miller	Myers
Naeger	O'Connor	O'Toole	Overschmidt	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reinhart
Relford	Richardson	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Shields	Skaggs

Smith	Summers	Surface	Townley	Tudor
Vogel	Ward	Wiggins	Williams 121	Williams 159
Wright	Mr. Speaker			

NOES: 049

Akin	Barry 100	Bartle	Bonner	Boucher 48
Boykins	Bray 84	Brooks	Campbell	Curls
Davis 63	Days	Dougherty	Foley	Franklin
Fraser	Gambaro	Gibbons	Graham 24	Gunn
Hagan-Harrell	Hanaway	Harlan	Hilgemann	Holand
Hosmer	Levin	Linton	Loudon	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murphy	Murray	Parker	Reynolds	Riley
Rizzo	Scheve	Schilling	Selby	Shelton
Thompson	Treadway	Van Zandt	Wilson 42	

PRESENT: 001

Reid

ABSENT WITH LEAVE: 015

Abel	Auer	Froelker	Griesheimer	Kennedy
McClelland	Nordwald	Ostmann	Pryor	Ridgeway
Sallee	Stokan	Troupe	Wagner	Wilson 25

VACANCIES: 001

Representative Burton offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting at the end of said line the following:

“Abortion as used in this section shall not include an abortion necessary to save the life of the mother.”.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

House Substitute Amendment No. 1 for House Amendment No. 7 was withdrawn.

On motion of Representative Burton, **House Amendment No. 7** was adopted.

Representative Lograsso offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting immediately after House Amendment No. 6, the following:

“8. Since tobacco use is known to increase the risk of developmental disabilities, the state treasurer shall monthly transfer from the tobacco settlement trust fund to the Missouri Department of Mental Health an amount equal to fifteen percent of the tobacco settlement trust fund. Monies transferred to the Department of Mental Health pursuant to this paragraph shall be appropriated solely for the purpose of assisting Missouri residents who have developmental disabilities.”.

On motion of Representative Lograsso, **House Amendment No. 8** was adopted by the following vote:

AYES: 136

Akin	Alter	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Britt	Brooks	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Gross
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McKenna	Miller	Monaco
Murphy	Murray	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Tudor	Vogel	Ward
Wiggins	Williams 121	Williams 159	Wilson 42	Wright
Mr. Speaker				

NOES: 007

Bray 84	Fraser	Gunn	Hagan-Harrell	Merideth
Schilling	Van Zandt			

PRESENT: 001

Bennett

ABSENT WITH LEAVE: 018

Abel	Auer	Froelker	Griesheimer	Harlan
Kennedy	Long	McClelland	McLuckie	Nordwald
Ostmann	Pryor	Ridgeway	Sallee	Stokan
Troupe	Wagner	Wilson 25		

VACANCIES: 001

Representative Patek offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. The state treasurer shall transfer annually from the tobacco settlement trust fund to the “Cancer Treatment Trust Fund” an amount equal to five percent of the tobacco settlement trust fund. Moneys in the “Cancer Treatment Trust Fund” shall be appropriated solely for the use of treating cancer and cancer research at the Ellis Fischel State Cancer Hospital.”.

On motion of Representative Patek, **House Amendment No. 9** was adopted.

Representative Levin offered **House Amendment No. 10**.

Representative Van Zandt raised a point of order that **House Amendment No. 10** is dilatory.

The Chair ruled the point of order not well taken.

Representative Monaco raised a point of order that **House Amendment No. 10** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Wilson (42) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. Of any allocation of the tobacco settlement trust fund for tobacco cessation and prevention programs, 75% shall be allocated to the population which is most affected by tobacco related diseases.”.

Representative Scheve assumed the Chair.

On motion of Representative Wilson (42), **House Amendment No. 10** was adopted.

Representative Hendrickson offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 2, Section 196.1014, Line 9, by deleting the words “voted on” and substituting therefor the word **“adopted”**.

On motion of Representative Hendrickson, **House Amendment No. 11** was adopted.

Representative Graham (24) offered **House Amendment No. 12**.

Representative Shields raised a point of order that **House Amendment No. 12** amends previously amended material.

Representative Scheve requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Reid offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Section 196.1014, Page 3, Line 8, by inserting after said line the following:

“7. No moneys in the tobacco settlement fund shall be directly or indirectly appropriated to any company that consistently engages in a pattern of price discrimination to subsidize foreign competitors of Missouri farmers.”.

On motion of Representative Reid, **House Amendment No. 12** was adopted by the following vote:

AYES: 089

Alter	Backer	Barnett	Barry 100	Bartelsmeyer
Bartle	Bennett	Berkowitz	Berkstresser	Black
Blunt	Britt	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Dougherty	Elliott	Enz	Fitzwater	Ford
Foster	Gambara	Gaskill	George	Graham 106
Gratz	Hampton	Hartzler 123	Hartzler 124	Hegeman
Hickey	Hohulin	Holand	Howerton	Kasten
Kelley 47	Kelly 27	King	Klindt	Koller
Kreider	Lakin	Leake	Legan	Luetkemeyer
Luetkenhaus	May 108	McBride	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Overschmidt	Parker	Patek	Phillips	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Robirds	Ross	Scheve	Schwab
Seigfreid	Selby	Shields	Skaggs	Smith
Summers	Surface	Townley	Vogel	Wiggins
Williams 159	Wilson 42	Wright	Mr. Speaker	

NOES: 049

Akin	Ballard	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Brooks	Burton	Campbell
Davis 63	Days	Dolan	Evans	Farnen
Foley	Franklin	Fraser	Gibbons	Graham 24
Gross	Gunn	Hagan-Harrell	Hanaway	Hendrickson
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kissell
Levin	Liese	Linton	Loudon	Marble
Mays 50	McKenna	McLuckie	O'Connor	O'Toole
Pouche 30	Riley	Rizzo	Schilling	Secrest
Shelton	Thompson	Tudor	Van Zandt	

PRESENT: 002

Treadway Ward

ABSENT WITH LEAVE: 022

Abel	Auer	Froelker	Green	Griesheimer
Harlan	Kennedy	Lawson	Lograsso	Long
McClelland	Nordwald	Ostmann	Pryor	Ridgeway
Sallee	Scott	Stokan	Troupe	Wagner
Williams 121	Wilson 25			

VACANCIES: 001

Representative Hanaway offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Line 8, by inserting after all of said line the following:

“7. All moneys paid in settlement of the State of Missouri’s dispute with any company which manufactures, sells or promotes tobacco or tobacco products, including all fees owed to attorneys representing the state in such dispute, shall be paid to the Missouri treasury and then deposited by the state treasurer into the Missouri Tobacco Settlement Trust Fund. The Missouri Tobacco Settlement Trust Fund shall then pay the attorneys all fees owed not to exceed \$500 per hour.”.

Representative Hanaway moved that **House Amendment No. 13** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Gaskill	Gibbons	Graham 106	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kasten	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Loudon	Luetkemeyer	Marble	Miller	Murphy
Myers	Naeger	Patek	Phillips	Pouche 30
Purgason	Reid	Reinhart	Richardson	Robirds
Ross	Schwab	Scott	Secrest	Selby
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

NOES: 077

Backer	Barry 100	Berkowitz	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Campbell
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambaro	George
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Shelton	Skaggs	Smith	Thompson	Treadway
Van Zandt	Ward	Wiggins	Williams 121	Williams 159
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 018

Abel	Auer	Bartle	Froelker	Griesheimer
Hoppe	Lawson	Long	McClelland	Nordwald
Ostmann	Pryor	Ridgeway	Sallee	Stokan
Troupe	Wagner	Wilson 25		

VACANCIES: 001

Representative Hanaway requested verification of the roll call on the adoption of **House Amendment No. 13**.

Representative Gambaro offered **House Amendment No. 14**.

House Amendment No. 14 was withdrawn.

Representative Davis (63) offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. 1½ % of the tobacco settlement fund shall be appropriated to the Department of Aging for programs that provide services for senior citizens.”.

On motion of Representative Davis (63), **House Amendment No. 14** was adopted.

Representative Thompson offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting after said line the following:

“7. Fifteen percent of the tobacco settlement monies shall be appropriated to the City of St. Louis for roads, bridges and highways.”.

On motion of Representative Thompson, **House Amendment No. 15** was adopted.

Representative Boucher offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 549, Page 3, Section 196.1014, Line 8, by inserting immediately after said line the following:

“Since tobacco use is known to discolor teeth in children who use, or have used in the past, tobacco products, the state treasurer shall monthly transfer from the tobacco settlement fund to the Missouri Department of Health an amount equal to ten percent of any interest remaining in the fund. Monies transferred to the Health Department shall be used to remove the tarter stains of all Missouri’s children and any other dental problems created by the use of tobacco products.”.

On motion of Representative Boucher, **House Amendment No. 16** was adopted.

On motion of Representative Van Zandt, **HS HCS SS SB 549, as amended**, was adopted.

HS HCS SS SB 549, as amended, was placed back on the Informal Calendar.

COMMITTEE REPORTS

Committee on Budget, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1122**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 1122, Page 1, Sections 22.005 and 22.010, by deleting all of said sections.

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SCS SB 558**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 936**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 35, introduced by Representative Boucher, urging the Ethiopian government to investigate the imprisonment of University of Missouri-Columbia graduate Dr. Taye Woldesemayat.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1106**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2000 and ending June 30, 2001.

With Senate Amendment No. 2 and Senate Amendment No. 4

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1106, Page 23, Section 6.372, Line 4, by deleting the figure "\$500,000" and inserting in lieu thereof the following: "\$0".

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1106, Page 19, Section 6.305, Line 10, by adding:

"The attorney general shall file a lawsuit at the earliest possible time in a court of a competent jurisdiction challenging the legality and constitutionality of the Clean Air Act as applied to the State of Missouri."

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1107**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

With Senate Amendment No. 1 and Senate Amendment No. 2

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1107, Page 4, Section 7.040, Lines 1-9, by deleting said section and inserting in lieu thereof the following:

"Section 7.040. There is transferred out of the State Treasury, chargeable to the General Revenue Fund, Four Million Seven Hundred Eighty-Four Thousand, One Hundred and Eighty-Two Dollars (\$4,784,182) to the Missouri Technology Investment Fund, for the Electronic Materials Applied Research Center, Mid-America Manufacturing Technology Center, Innovation Centers, Small Business Development Center Satellites, and Centers for Advanced Technology.

From General Revenue Fund \$4,784,182

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1107, Page 3, Section 7.025, Lines 2-11, by deleting said lines.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1108**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, April 20, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-sixth Day, Tuesday, April 18, 2000, page 982, line 11, by deleting the number "2" and inserting in lieu thereof the number "1".

Pages 979 and 980, roll call, by showing Representative Davis (63) voting "no" rather than "absent with leave".

Pages 986 and 987, roll call, by showing Representative Barry voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Thursday, April 20, 2000, 9:45 am. Room 414.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, April 20, 2000, 8:30 am. Hearing Room 3.

Dept. of Social Services Division of Family Services Re: CTS Funds.

CHILDREN, YOUTH AND FAMILIES

Tuesday, April 25, 2000, 2:00 pm. Hearing Room 4.

Possible Executive session.

To be considered - SB 597

CIVIL AND ADMINISTRATIVE LAW

Thursday, April 20, 2000. Hearing Room 1 upon morning adjournment.

Executive Session.

ENVIRONMENT AND ENERGY

Thursday, April 20, 2000, 8:30 am. Hearing Room 7.

Executive Session may follow.

To be considered - SB 577

FISCAL REVIEW

Thursday, April 20, 2000, 8:30 am. Hearing Room 5.

Executive Session. AMENDED.

To be considered - HB 1762, HB 1881

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY AND PLANNING

Thursday, April 20, 2000, 8:30 am. Hearing Room 1.

Enterprise zones. Regarding application extensions.

JUDICIARY

Thursday, April 20, 2000, 9:15 am. Hearing Room 5.

Executive Session.

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, April 20, 2000, 9:45 am. Side gallery.

Executive Session.

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, April 20, 2000, 9:00 am. Hearing Room 4. AMENDED.

Executive Session to follow.

To be considered - HCR 31, HCR 34, HR 504, HR 550, HR 557, HR 573

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 20, 2000, 9:00 am. Side gallery.

Possible Executive Session.

To be considered - SB 850, SB 902

PUBLIC SAFETY AND LAW ENFORCEMENT

Thursday, April 20, 2000, 9:30 am. Side gallery.

To be considered - Executive Session - SB 537

UTILITIES REGULATION

Thursday, April 20, 2000, 8:30 am. Hearing Room 6.

Executive Session may or may not follow. AMENDED.

To be considered - HB 1778, HB 1842, HB 1895

HOUSE CALENDAR

FIFTY-EIGHTH DAY, THURSDAY, APRIL 20, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 35

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45, HCA 1 - Scheve

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 1120 - Franklin
- 2 HB 1122, HCA 1 - Franklin

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1927 - Wiggins
- 2 HB 1768 - Ward
- 3 HB 1712 - McKenna
- 4 HB 2011 - Overschmidt
- 5 HCS HB 1747 - Barry
- 6 HCS HB 1888 - Wilson (42)
- 7 HB 2102 - Hampton
- 8 HB 1066, HCA 1 - Riback Wilson (25)
- 9 HB 1394 - Murray
- 10 HB 1159 - Boucher
- 11 HB 1280 - Clayton
- 12 HB 1502 - Smith
- 13 HCS HB 1547 - Scheve
- 14 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 15 HB 1546 - Smith
- 16 HCS HB 1606 - Bray
- 17 HCS HB 1225 - Hosmer
- 18 HCS HB 1540 - Green
- 19 HCS HB 1942 - Liese
- 20 HCS HB 1578 - Shelton
- 21 HB 2056 - Gunn
- 22 HCS HB 1718 - Smith
- 23 HCS HB 1966 - Hosmer
- 24 HCS HB 1997 - Smith
- 25 HCS HB 1336 - Lakin
- 26 HCS HB 1780 - Liese
- 27 HCS HB 1816 - Hosmer
- 28 HCS HB 1357 - Bonner
- 29 HB 1872 - Seigfreid
- 30 HCS HB 1674 - Graham (24)
- 31 HCS HB 1154 - Boucher
- 32 HCS HB 2114 - Hoppe
- 33 HCS HB 1649 - Williams (121)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HCS HB 1574 & 1640 - Britt
- 5 HCS HB 1932 - Harlan
- 6 HB 1728, HCA 1 - Backer

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 1946 - Dougherty

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 29, (4-13-00, pg. 951) - Graham (24)
- 2 HCR 23, (3-16-00, pg. 646) - Bray
- 3 HCR 4, (2-24-00, pg. 399) - Kennedy
- 4 HCR 22, (4-17-00, pg. 970) - Liese
- 5 HCR 27, (4-13-00, pg. 951) - Ross
- 6 HCR 28, (4-11-00, pg. 916) - Van Zandt

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 1113 - Green
- 2 HB 1121 - Franklin

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1711 - Abel
- 2 HCS HB 1569 - Bray
- 3 HB 1472 - Smith
- 4 HCS HB 1967, E.C. - Hoppe
- 5 HCS HB 1698, E.C. - Shelton
- 6 HB 1881, (Fiscal Review, 4-18-00) - Shelton
- 7 HS HCS HB 1762, (Fiscal Review, 4-19-00) - Williams (159)
- 8 HB 1464 - Ransdall
- 9 HB 1326 - Mays (50)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 1685 - Smith

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 22

SENATE BILL FOR THIRD READING - INFORMAL

HS HCS SS SB 549, as amended, E.C. - Van Zandt

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1106, as amended - Franklin
- 2 SCS HCS HB 1107, as amended - Franklin
- 3 SCS HCS HB 1108 - Franklin

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HCS HB 1102, a.a. (Request Senate recede/grant conference) - Franklin
- 2 SCS HCS HB 1103, a.a. (Request Senate recede/grant conference) - Franklin
- 3 SCS HCS HB 1104, (Request Senate recede/grant conference) - Franklin
- 4 SCS HCS HB 1105, a.a. (Request Senate recede/grant conference) - Franklin

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTY-EIGHTH DAY, THURSDAY, APRIL 20, 2000

Representative Riley in the Chair.

Prayer by Reverend Rudy Beard.

Lord of Life, You have brought us to this new day and all the hope and opportunity it holds. We know that a better world can not be built by people who do not seek to be better.

Help the men and women of this House, and those who support them, to work with You, that today may be a good day with good things accomplished.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Janani Balasubramanian, Dakota Jones, Ann Kneib, Daniel Duncan, Maggie Clark, Amber Reno, Erin Walser, Manny Waton, Adam Stefo, Angela Stefo, John Remelius III, Rachel Renna, Sean Egan, Daniel Egan, Jonathan Shipley, Chris Griggs, Tim Griggs, Keir McIntosh, Denny J. Merideth IV, Kristofer D. Merideth, Megan Robison, Anthony Caringer, Robin Hayes, Meghan Henry, Tia Brod, Steven Johnson, Shay Johnson, Katie Luetkenhaus and Andrew Luetkenhaus.

Speaker Gaw assumed the Chair.

The Journal of the fifty-seventh day was approved as corrected by the following vote:

AYES: 084

Abel	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Richardson	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 069

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Reid	Reinhart	Robirds	Ross	Sallee
Schwab	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Bartle	Legan	McKenna	Pryor
Purgason	Ridgeway	Scott	Stokan	

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1185 - Representative Legan
 House Resolution No. 1186 - Representative Summers
 House Resolution No. 1187
 through
 House Resolution No. 1190 - Representative Gibbons
 House Resolution No. 1191 - Representative Dolan
 House Resolution No. 1192 - Representative Murray
 House Resolution No. 1193
 through
 House Resolution No. 1195 - Representative Hartzler (124)
 House Resolution No. 1196 - Representative George
 House Resolution No. 1197
 through
 House Resolution No. 1200 - Representative Crump
 House Resolution No. 1201 - Representative Fitzwater
 House Resolution No. 1202 - Representative Froelker
 House Resolution No. 1203
 and
 House Resolution No. 1204 - Representatives Ross and Lograsso
 House Resolution No. 1205 - Representative Hegeman
 House Resolution No. 1206 - Representative Liese
 House Resolution No. 1207 - Representative Williams (159)
 House Resolution No. 1208 - Representative Davis (63)

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 35 was read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 22 was read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HBs 1489, 1488 & 1650 - Fiscal Review (Fiscal Note)

HS HCS HB 1811 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1489, 1488 & 1650, HS HCS HB 1811** and **HCS HB 1961**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HB 1762 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1881 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1106, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1106, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1107, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1107, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1108, relating to appropriations, was taken up by Representative Lakin.

Representative Lakin moved that the House refuse to adopt **SCS HCS HB 1108** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1113, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1113** was read the third time and passed by the following vote:

AYES: 151

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Phillips	Pouche 30	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Mr. Speaker				

NOES: 004

Hanaway	Murphy	Patek	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 007

Auer	McKenna	Pryor	Ridgeway	Scott
Stokan	Wilson 42			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Shelton moved that the vote by which the bill passed be reconsidered.

Representative Thompson moved that motion lay on the table.

The latter motion prevailed.

HB 1121, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 1121** was read the third time and passed by the following vote:

AYES: 148

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Liese	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 005

Blunt	Champion	Hanaway	Linton	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Kennedy	Levin	McKenna	Pryor
Ridgeway	Stokan	Wiggins	Williams 121	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Gambaro moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS

HCS HB 1711, relating to prescription drug costs, was taken up by Representative Abel.

On motion of Representative Abel, **HCS HB 1711** was read the third time and passed by the following vote:

AYES: 153

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 63	Days	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway

Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Elliott

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer	Davis 122	Hollingsworth	Kasten	McKenna
Pryor	Ridgeway	Stokan		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Clayton moved that motion lay on the table.

The latter motion prevailed.

Representative Green assumed the Chair.

Speaker Gaw resumed the Chair.

Representative Green resumed the Chair.

HCS HB 1569, relating to Missouri Equal Pay Act, was taken up by Representative Bray.

Representative Bray moved that **HCS HB 1569** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 068

Abel	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Clayton	Crump	Curls	Davis 63	Days
Dougherty	Farnen	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Green
Gunn	Hagan-Harrell	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McLuckie
Monaco	Murray	O'Connor	O'Toole	Reynolds
Riley	Rizzo	Scheve	Schilling	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 086

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Campbell	Champion	Chrismer
Cierpiot	Crawford	Davis 122	Dolan	Elliott
Enz	Evans	Fitzwater	Foster	Froelker
Gaskill	Gibbons	Graham 106	Gratz	Griesheimer
Gross	Hampton	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kasten	Kelley 47	King	Klindt	Koller
Legan	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McBride	McClelland	Merideth
Miller	Murphy	Myers	Naeger	Nordwald
Ostmann	Overschmidt	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Relford
Richardson	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Seigfreid	Shields	Summers
Surface	Townley	Tudor	Vogel	Williams 159
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer	Levin	McKenna	Parker	Pryor
Ridgeway	Stokan	Troupe		

VACANCIES: 001

Representative Hickey requested verification of the roll call on the Third Reading and Final Passage of **HCS HB 1569**.

HCS HB 1967, relating to St. Louis Boundary Commission, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HCS HB 1967** was read the third time and passed by the following vote:

AYES: 150

Abel	Akin	Alter	Backer	Ballard
Barnett	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	Mays 108	Mays 50	McClelland	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Relford

Reynolds	Richardson	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Gibbons	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Barry 100	Holand	Levin	McBride
McKenna	Pryor	Ridgeway	Robirds	Stokan

VACANCIES: 001

Representative Green declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 126

Abel	Backer	Ballard	Barnett	Barry 100
Bennett	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Evans	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	Gaskill	George	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hegeman	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Liese	Linton	Long
Loudon	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McLuckie	Merideth	Miller
Monaco	Murray	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 027

Akin	Alter	Bartelsmeyer	Bartle	Boatright
Chrismer	Cierpiot	Enz	Foster	Froelker
Gibbons	Gross	Hanaway	Hartzler 124	Hendrickson
Hohulin	King	Lograsso	Luetkemeyer	Murphy
Myers	Phillips	Pouche 30	Schwab	Scott
Summers	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Champion	Holand	Levin	McKenna
Pryor	Ridgeway	Robirds	Stokan	

VACANCIES: 001

On motion of Representative Schilling, title to the bill was agreed to.

Representative Selby moved that the vote by which the bill passed be reconsidered.

Representative Seigfreid moved that motion lay on the table.

The latter motion prevailed.

HB 1472, relating to juvenile information system, was taken up by Representative Smith.

On motion of Representative Smith, **HB 1472** was read the third time and passed by the following vote:

AYES: 140

Abel	Alter	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Berkowitz	Berkstresser
Black	Blunt	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Champion	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Legan	Liese	Linton	Long
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 011

Boatright	Chrismer	Foster	Gross	Hartzler 124
Lograsso	Loudon	Naeger	Phillips	Scott
Summers				

PRESENT: 000

ABSENT WITH LEAVE: 011

Akin	Auer	Bennett	Cierpiot	Klindt
Levin	McKenna	Pryor	Ridgeway	Robirds
Stokan				

VACANCIES: 001

Representative Green declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative George moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1698, relating to compensation for St. Louis Police, was taken up by Representative Shelton.

On motion of Representative Shelton, **HCS HB 1698** was read the third time and passed by the following vote:

AYES: 150

Abel	Alter	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Akin	Auer	Gunn	Kelly 27	Kennedy
Levin	McKenna	Pryor	Ridgeway	Robirds
Stokan	Williams 121			

VACANCIES: 001

Representative Green declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 128

Abel	Alter	Backer	Barnett	Barry 100
Bennett	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Gross	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hegeman	Hendrickson	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kasten
Kelley 47	Kelly 27	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Liese	Loudon	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 021

Akin	Ballard	Bartelsmeyer	Bartle	Boatright
Chrismer	Cierpiot	Froelker	Griesheimer	Hartzler 124
Hohulin	Howerton	King	Lograsso	Luetkemeyer
Naeger	Phillips	Pouche 30	Purgason	Schwab
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 013

Auer	Gunn	Holand	Kennedy	Levin
Linton	Long	McKenna	Pryor	Ridgeway
Robirds	Stokan	Williams 121		

VACANCIES: 001

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Leake moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

HB 1881, relating to state highways and road system, was taken up by Representative Shelton.

On motion of Representative Shelton, **HB 1881** was read the third time and passed by the following vote:

AYES: 088

Abel	Akin	Backer	Barry 100	Bennett
Berkowitz	Blunt	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Chrismer
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	George	Gibbons
Graham 24	Green	Gross	Gunn	Hagan-Harrell
Hanaway	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kennedy	Kissell	Lakin
Lawson	Leake	Liese	Linton	Loudon
Luetkenhaus	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Murphy	Murray	O'Connor
O'Toole	Ostmann	Overschmidt	Reid	Relford
Riley	Rizzo	Scheve	Schilling	Secrest
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Ward
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 064

Alter	Ballard	Barnett	Bartelsmeyer	Bartle
Berkstresser	Black	Boatright	Burton	Champion
Cierpiot	Crawford	Elliott	Foster	Gaskill
Graham 106	Gratz	Griesheimer	Hampton	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kasten	Kelley 47	Kelly 27	King
Klindt	Koller	Kreider	Legan	Lograsso
Long	Luetkemeyer	Marble	Merideth	Miller
Myers	Naeger	Nordwald	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reinhart
Richardson	Ross	Sallee	Schwab	Scott
Shields	Summers	Surface	Townley	Tudor
Vogel	Wiggins	Williams 159	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Levin	McKenna	Pryor	Reynolds
Ridgeway	Robirds	Stokan	Wagner	Williams 121

VACANCIES: 001

Representative Green declared the bill passed.

On motion of Representative Hagan-Harrell, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 1762, relating to agricultural marketing, was taken up by Representative Williams (159).

On motion of Representative Williams (159), **HS HCS HB 1762** was read the third time and passed by the following vote:

AYES: 150

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Liese	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McLuckie	Merideth	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Richardson	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Kelly 27	Levin	Linton	McKenna
Miller	Pryor	Reynolds	Ridgeway	Robirds
Stokan	Williams 121			

VACANCIES: 001

Representative Green declared the bill passed.

On motion of Representative Lawson, title to the bill was agreed to.

Representative Backer moved that the vote by which the bill passed be reconsidered.

Representative Abel moved that motion lay on the table.

The latter motion prevailed.

HB 1464, relating to funeral merchandising practices, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HB 1464** was read the third time and passed by the following vote:

AYES: 146

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Leake	Legan	Liese	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Ransdall	Reid	Reinhart	Relford	Richardson
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Vogel	Wagner	Ward
Wiggins	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Lograsso

PRESENT: 001

Farnen

ABSENT WITH LEAVE: 014

Auer	Hohulin	Lawson	Levin	Linton
McKenna	Pryor	Purgason	Reynolds	Ridgeway
Robirds	Stokan	Van Zandt	Williams 121	

VACANCIES: 001

Representative Green declared the bill passed.

On motion of Representative Gunn, title to the bill was agreed to.

Representative Graham (24) moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

HB 1326, relating to Public Service Commission Orders, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **HB 1326** was read the third time and passed by the following vote:

AYES: 140

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kennedy	King	Kissell	Koller	Kreider
Lakin	Leake	Legan	Liese	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Relford
Richardson	Riley	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Treadway	Troupe
Tudor	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Bonner	Klindt	Rizzo	Townley
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 017

Auer	Ballard	Gaskill	Hohulin	Kelly 27
Lawson	Levin	Linton	McKenna	Parker
Pryor	Reynolds	Ridgeway	Robirds	Stokan
Van Zandt	Williams 121			

VACANCIES: 001

Representative Green declared the bill passed.

On motion of Representative Shelton, title to the bill was agreed to.

Representative Skaggs moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL - INFORMAL

HB 1728, with House Committee Amendment No. 1, relating to state purchasing, was taken up by Representative Backer.

Representative Backer offered **HS HB 1728**.

Representative Backer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1728, Page 5, Section 34.073, Lines 20 and 21, by deleting the brackets on said lines; and

Further amend said bill, Page 3, Section 34.040, Subsection 6, Line 24, by deleting the words "Missouri based"; and

Further amend said bill, Page 11, Section 575.060, Line 8, by inserting before the word "submits" the word "**knowingly**".

Speaker Gaw resumed the Chair.

On motion of Representative Backer, **House Amendment No. 1** was adopted.

Representative Overschmidt offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 1728, Page 1, In the Title, Line 2, by inserting after "sections" the following: "**34.055**"; and

Further amend said bill, Page 1, In the Title, Line 9, by striking "eight" and inserting in lieu thereof "**nine**"; and

Further amend said bill, Page 1, Section A, Line 13 of said page, by inserting after "Sections" the following: "**34.055**"; and

Further amend said bill, Page 1, Section A, Line 15 of said page, by striking "eight" and inserting in lieu thereof "**nine**"; and

Further amend said bill, Page 1, Section A, Line 16 of said page, by inserting after "34.046," the following: "**34.055**"; and

Further amend said bill, Page 5, Section 34.046, Line 7 of said page, by inserting immediately after said line the following:

"34.055. 1. Except as otherwise provided in section 34.057, all invoices for supplies and services purchased by the state, duly approved and processed, shall be subject to interest charges or late payment charges as provided in this section.

2. After the forty-fifth day following the later of the date of delivery of the supplies and services or the date upon which the invoice is duly approved and processed, interest retroactive to the thirtieth day shall be paid on any unpaid balance[, except balances for services provided by a gas corporation, electrical corporation, water corporation, or sewer corporation which has received authorization from the public service commission to impose late payment charges on delinquent utility bills,] upon application of the vendor thereof. The rate of such interest shall be three percentage points above the average predominant prime rate quoted by commercial banks to large businesses, as determined by the Board of Governors of the Federal Reserve System. **After the thirtieth day following the later of the date of delivery of the supplies and services or the date upon which the invoice is duly approved and processed, a penalty of two percent of the amount due the vendor shall be paid to the vendor. The penalty shall increase by two percent for every thirty-day period thereafter in which the vendor is not paid, except that no such penalty shall exceed eighteen percent in one year.**

3. **The interest and penalties authorized in subsection 2 of this section shall not apply to balances for services provided by a gas corporation, electrical corporation, water corporation, or sewer corporation which has received authorization from the public service commission to impose late payment charges on delinquent utility bills. Balances for such services shall be subject to the interest and penalties authorized pursuant to this subsection.** The state shall be liable for late payment charges on any delinquent bill for services purchased by the state from a gas corporation, electrical corporation, water corporation, or sewer corporation which has received authorization from the public service commission to impose late payment charges on delinquent utility bills. The rate of such late payment charges shall be as established for each such corporation by order of the public service commission, but bills rendered to the state shall not be considered delinquent until thirty days after rendition of the bill by the corporation.

4. Any [such] interest charges or late payment charges **authorized pursuant to this section** shall be paid from appropriations which were made for the fiscal year in which the supplies or services were delivered to the respective departments purchasing such supplies or services. The commissioner of administration shall be responsible for the timely implementation of this section and all officers, departments, institutions and agencies of state government shall fully cooperate with the commissioner of administration in the implementation of this section. No late payment penalty shall be assessed against, nor payable by, the state unless pursuant to the provisions of this section.

5. Notwithstanding any other provision of this section, recipients of funds from the low-income energy assistance program shall be exempt from interest charges imposed by such section for the duration of the recipient's participation in the program."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Overschmidt, **House Amendment No. 2** was adopted.

Representative Loudon offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Bill No. 1728, Page 10, Section 37.020, Line 9, by deleting the word "minority" and replacing it with the word "**disadvantaged**"; and

Further amend said section, Line 10, by adding after the word "reports" the following:

"including but not limited to all state government entities, the Missouri Department of Transportation and the Bi-State Development Agency"; and

Further amend said subsection, by adding after said line the following:

“Such reports shall include:

- a) the percentage of disadvantaged business enterprise participation by project**
- b) the dollar amount paid to disadvantaged business enterprises by project**
- c) the number of minority and female workers by project”;** and

Further amend said section, Line 12, by deleting the word “minority” and replacing it with the word “disadvantaged”.

HB 1728, with House Amendment No. 3, HS, as amended, and House Committee Amendment No. 1, pending, was laid over.

COMMITTEE REPORTS

Committee on Accounts, Operations, and Finance, Chairman Skaggs reporting:

Mr. Speaker: Your Committee on Accounts, Operations, and Finance, to which was referred **HR 1163**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **SS SCS SBs 867 & 552**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 504**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 557**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 573**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 1053**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 36, introduced by Representatives Gratz and Gaw, et al, urging United Congress to address the issue of increased fuel prices by developing sources to reduce our dependency on foreign sources of fuel.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 75, introduced by Representative Foster, relating to the right to bail.

HJR 76, introduced by Representative Foster, relating to distribution of fines and forfeitures.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2168, introduced by Representative Foster, relating to bail bonds.

HB 2169, introduced by Representatives Levin, O'Connor, Hickey, Reynolds, Hampton, Kissell, Dolan, Crump, Richardson, Ross, Alter, Hosmer, Barnett, Davis (63), Merideth, Parker, Patek, Gambaro and Kreider, relating to stealing.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1102, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1103, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1104, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1105, as amended**, and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HCS HB 1102: Representatives Franklin, Gaw, Lakin, Legan and Hegeman.

SCS HCS HB 1103: Representatives Franklin, Williams (121), Lakin, Legan and Hegeman.

SCS HCS HB 1104: Representatives Franklin, Williams (121), Green, Legan and Gross.

SCS HCS HB 1105: Representatives Franklin, Williams (121), Green, Legan and Hegeman.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1102, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1103, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1104**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1105, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1106, as amended**, and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 1106: Representatives Franklin, Williams (121), Scheve, Legan and Hegeman

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1106, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1107, as amended**, and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 1107: Representatives Franklin, Williams (121), Scheve, Legan and McClelland

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1107, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1108**, and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 1108: Representatives Franklin, Williams (121), Lakin, Legan and Foster.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1108**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1109**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several division and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 3:00 p.m., Tuesday, April 25, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-seventh Day, Wednesday, April 19, 2000, pages 1000 and 1001, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Pages 1003 and 1004, roll call, by showing Representatives Bartle, Boucher, Hickey and Naeger voting "aye" rather than "absent with leave".

Page 1004, roll call, by showing Representatives Blunt, Crawford, Hickey and Miller voting "aye" rather than "absent with leave".

Pages 1018 and 1019, roll call, by showing Representative Kissell voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - CONFERENCE

Monday, April 24, 2000, 2:00 pm. Senate Committee Rooms 2 and 3 (Room 119).

To be considered - HB 1102, HB 1103, HB 1104, HB 1105, HB 1106, HB 1107, HB 1108

APPROPRIATIONS - CONFERENCE

Tuesday, April 25, 2000, 9:00 am. Senate Committee Rooms 2 and 3 (Room 119).

To be considered - HB 1102, HB 1103, HB 1104, HB 1105, HB 1106, HB 1107, HB 1108

ACCOUNTS, OPERATIONS, AND FINANCE

Wednesday, April 26, 2000. Room 414 upon morning adjournment.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 26, 2000. Hearing Room 3 upon morning adjournment.

Executive Session will follow.

To be considered - SB 804

CHILDREN, YOUTH AND FAMILIES

Tuesday, April 25, 2000, 2:00 pm. Hearing Room 4.

Possible Executive Session.

To be considered - SB 597

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 26, 2000. Hearing Room 1 upon morning adjournment.

Executive Session.

CRIMINAL LAW

Tuesday, April 25, 2000. Hearing Room 7 upon adjournment.

Executive Session.

CRITICAL ISSUES

Tuesday, April 25, 2000. Side gallery upon evening adjournment.

To be considered - Executive Session - SB 576

EDUCATION - HIGHER

Wednesday, April 26, 2000. Hearing Room 5 upon morning adjournment.

To be considered - SB 1066

FISCAL REVIEW

Tuesday, April 25, 2000, 2:30 pm. Hearing Room 5.

Executive Session. AMENDED.

To be considered - HB 1489, HB 1811

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Tuesday, April 25, 2000, 2:00 pm. Room 219.

Executive Session. Dept. of Health, MO Health Facilities Review Committee.

19 CSR 60-50.300

HOUSE CALENDAR

FIFTY-NINTH DAY, TUESDAY, APRIL 25, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 36

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 75 and HJR 76

HOUSE BILLS FOR SECOND READING

HB 2168 and HB 2169

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45, HCA 1 - Scheve

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 1120 - Franklin
- 2 HB 1122, HCA 1 - Franklin

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1927 - Wiggins
- 2 HB 1768 - Ward
- 3 HB 1712 - McKenna
- 4 HB 2011 - Overschmidt
- 5 HCS HB 1747 - Barry
- 6 HCS HB 1888 - Wilson (42)
- 7 HB 2102 - Hampton
- 8 HB 1066, HCA 1 - Riback Wilson (25)
- 9 HB 1394 - Murray
- 10 HB 1159 - Boucher
- 11 HB 1280 - Clayton
- 12 HB 1502 - Smith
- 13 HCS HB 1547 - Scheve
- 14 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 15 HB 1546 - Smith
- 16 HCS HB 1606 - Bray
- 17 HCS HB 1225 - Hosmer
- 18 HCS HB 1540 - Green
- 19 HCS HB 1942 - Liese
- 20 HCS HB 1578 - Shelton
- 21 HB 2056 - Gunn
- 22 HCS HB 1718 - Smith
- 23 HCS HB 1966 - Hosmer
- 24 HCS HB 1997 - Smith
- 25 HCS HB 1336 - Lakin
- 26 HCS HB 1780 - Liese
- 27 HCS HB 1816 - Hosmer
- 28 HCS HB 1357 - Bonner
- 29 HB 1872 - Seigfreid
- 30 HCS HB 1674 - Graham (24)
- 31 HCS HB 1154 - Boucher
- 32 HCS HB 2114 - Hoppe
- 33 HCS HB 1649 - Williams (121)
- 34 HB 1216 - Kelly (27)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HCS HB 1932 - Harlan
- 5 HB 1728, HA 3, HS, as amended, and HCA 1, pending - Backer

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 1946 - Dougherty

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 29, (4-13-00, pg. 951) - Graham (24)
- 2 HCR 23, (3-16-00, pg. 646) - Bray
- 3 HCR 4, (2-24-00, pg. 399) - Kennedy
- 4 HCR 22, (4-17-00, pg. 970) - Liese
- 5 HCR 27, (4-13-00, pg. 951) - Ross
- 6 HCR 28, (4-11-00, pg. 916) - Van Zandt

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1489, 1488 & 1650, (Fiscal Review, 4-20-00) - Kennedy
- 2 HS HCS HB 1811, (Fiscal Review, 4-20-00) - Kreider
- 3 HCS HB 1961 - Fraser

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL

HB 1685 - Smith

SENATE BILL FOR THIRD READING - INFORMAL

HS HCS SS SB 549, as amended, E.C. - Van Zandt

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1109 - Franklin

BILLS IN CONFERENCE

- 1 SCS HCS HB 1102, as amended - Franklin
- 2 SCS HCS HB 1103, as amended - Franklin
- 3 SCS HCS HB 1104 - Franklin
- 4 SCS HCS HB 1105, as amended - Franklin
- 5 SCS HCS HB 1106, as amended - Franklin
- 6 SCS HCS HB 1107, as amended - Franklin
- 7 SCS HCS HB 1108 - Franklin

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTY-NINTH DAY, TUESDAY, APRIL 25, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Dear God, many people sense new life at this time of the year. This House prays for that life, that progresses into the wisdom that knows ways to do the best for the most citizens. Help these men and women continue to love this state, to cherish their constituencies, to hold to true standards of freedom and democracy. May their hard work in the waning days of this session produce manifold fruits in harmony, prosperity, and good will. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jessica Schreck, Marcus Petree, Derek Lowe, Nick Clutter, Eva Stephens, Keeli Flippen, Ryan Simms and Jack Ewing.

The Journal of the fifty-eighth day was approved as corrected by the following vote:

AYES: 082

Abel	Auer	Backer	Barry 100	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hilgemann	Hollingsworth
Hoppe	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Surface
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer

Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Tudor
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkowitz	Hartzler 124	Hickey	Hosmer	Reid
Relford	Stokan	Townley		

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1209

and

House Resolution No. 1210 - Representative McClelland

House Resolution No. 1211 - Representative Relford

House Resolution No. 1212

through

House Resolution No. 1214 - Representative Riback Wilson (25)

House Resolution No. 1215 - Representative Boucher

House Resolution No. 1216 - Representative Richardson

House Resolution No. 1217 - Representative Barry

House Resolution No. 1218 - Representative Williams (121)

House Resolution No. 1219

through

House Resolution No. 1221 - Representative Leake

House Resolution No. 1222 - Representative Backer

House Resolution No. 1223 - Representative Monaco

House Resolution No. 1224 - Representative Kennedy

House Resolution No. 1225

through

House Resolution No. 1229 - Representative Tudor

House Resolution No. 1230

and

House Resolution No. 1231 - Representative Clayton

House Resolution No. 1232 - Representative Fitzwater

House Resolution No. 1233 - Representative Foley

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 36 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 75 and **HJR 76** were read the second time.

SECOND READING OF HOUSE BILLS

HB 2168 and **HB 2169** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HBs 1489, 1488 & 1650 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HB 1811 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1109, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1109** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HB 1122, with House Committee Amendment No. 1, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **House Committee Amendment No. 1** was adopted.

On motion of Representative Franklin, **HB 1122, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HB 1946, relating to adoption, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 1946** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HCS HB 1927, relating to water pollution permit fees, was taken up by Representative Wiggins.

Representative Wiggins offered **HS HCS HB 1927**.

Representative Wiggins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1927, Page 33, Section 644.052, Line 19 of said page, by deleting the words “**two hundred**” and inserting in lieu thereof the words “**three hundred**” ; and

Further amend said bill, Page 33, Section 644.052, Line 21 of said page, by deleting the words “**two hundred**” and inserting in lieu thereof the words “**three hundred**” ; and

Further amend said bill, Page 34, Section 644.052, Line 15 of said page, by deleting the words “**Two hundred dollars annually**” and inserting in lieu thereof the words “**Three hundred dollars**” ; and

Further amend said bill, Page 35, Section 644.052, Lines 3 to 5 of said page, by deleting all of said lines and inserting in lieu thereof the following:

“**and persons paying fees pursuant to this subdivision who receive renewed general permits on the same facility after September 30, 2000, shall pay sixty dollars annually.**”.

On motion of Representative Wiggins, **House Amendment No. 1** was adopted.

Representative Days offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1927, Page 1, Section A, Line 18 of said page, by inserting after all of said line the following:

"249.255. 1. Should a public sewer district created and organized pursuant to constitutional or statutory authority place a lien upon a customer's property for unpaid sewer charges, the lien shall have priority as and be enforced in the same manner as taxes levied for state and county purposes.

2. Should the sewer charges of a public sewer district created and organized pursuant to constitutional or statutory authority remain unpaid for a period in excess of [one year] **three months**, the district, after notice to the customer by certified mail, shall have the authority at its discretion to disconnect the customer's sewer line from the district's line or request any private water company, public water supply district, or any municipality supplying water to the premises to discontinue service to the customer until such time as the sewer charges and all related costs of this section are paid." ; and

Further amend said bill, Page 53, Section 644.076, Line 13, by inserting after all of said line the following:

"644.572. In addition to those sums authorized prior to August 28, 2000, the board of fund commissioners of the state of Missouri, as authorized by section 37(e) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and this chapter.

644.574. In addition to those sums authorized prior to August 28, 2000, the board of fund commissioners of the state of Missouri, as authorized by section 37(g) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of twenty million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.

644.576. In addition to those sums authorized prior to August 28, 2000, the board of fund commissioners of the state of Missouri, as authorized by section 37(h) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of forty million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Days, **House Amendment No. 2** was adopted.

Representative Fitzwater offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1927, Page 28, Section 644.051, Line 23, by inserting after all of said line the following:

"13. All permit fees generated pursuant to this chapter shall not be used for the development, implementation and/or expansion of Total Maximum Daily Loads studies or restoration plans on either the Missouri or Mississippi rivers."; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Fitzwater, **House Amendment No. 3** was adopted.

Representative Selby offered **House Amendment No. 4**.

Representative Wiggins raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Klindt offered **House Amendment No. 4**.

Representative Wiggins raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Gratz offered **House Amendment No. 4**.

Representative Wiggins raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Marble offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1927, Section 644.051, Line 6, by adding after “Deny” the following: “**With Good Cause**”.

On motion of Representative Marble, **House Amendment No. 4** was adopted.

Representative Richardson offered **House Amendment No. 5.**

Representative Wiggins raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Wiggins, **HS HCS HB 1927, as amended**, was adopted.

On motion of Representative Wiggins, **HS HCS HB 1927, as amended**, was ordered perfected and printed.

HB 1768, relating to prosecutors, was taken up by Representative Ward.

Representative Ward offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Bill No. 1768, Page 2, Section 56.066, Line 23, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to promote justice, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ward, **House Amendment No. 1** was adopted.

Representative Shields offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 1768, Page 2, Section 56.066, Line 19, by adding the following after period: “**The provisions of this section shall not apply to counties of the first class.**”.

On motion of Representative Shields, **House Amendment No. 2** was adopted.

Representative Patek offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 1768, Page 1, Section 56.066, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"of corrections with a total average yearly inmate population in excess of four hundred persons but less than one thousand five hundred persons, the prosecuting attorney shall receive"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Patek, **House Amendment No. 3** was adopted.

Representative Hegeman offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Bill No. 1768, Page 2, Section 56.066, Line 23, by inserting immediately after said line the following:

"3. Subject to annual appropriation, the department of corrections shall reimburse the counties for the amount of the additional compensation. The reimbursement amounts shall be limited to the amounts stated in subsection 1 of this section and shall not include employer-paid fringe benefits. On or before the thirty-first day of January of each year, the department shall require documentation of payment from the counties of the additional compensation paid in the previous calendar year."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hegeman moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Howerton offered **House Amendment No. 5**.

Representative Parker raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Patek offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Bill No. 1768, Page 2, Section 56.066, Line 23, by inserting after said line the following:

"56.363. 1. The county commission of any county may on its own motion and shall upon the petition of ten percent of the total number of people who voted in the previous general election in the county submit to the voters at a general or special election the proposition of making the county prosecutor a full-time position. The commission shall cause notice of the election to be published in a newspaper published within the county, or if no newspaper is published within the county, in a newspaper published in an adjoining county, for three weeks consecutively, the last insertion of which shall be at least ten days and not more than thirty days before the day of the election, and by posting printed notices thereof at three of the most public places in each township in the county. The proposition shall be put before

the voters substantially in the following form:

Shall the office of prosecuting attorney be made a full-time position in County?

G YES

G NO

If a majority of the voters voting on the proposition vote in favor of making the county prosecutor a full-time position, it shall become effective upon the date that the prosecutor who is elected at the next election subsequent to the passage of such proposal is sworn into office.

2. The provisions of subsection 1 of this section notwithstanding, in any county where the proposition of making the county prosecutor a full-time position was submitted to the voters at a general election in 1998 and where a majority of the voters voting on the proposition voted in favor of making the county prosecutor a full-time position, the proposition shall become effective on May 1, 1999. Any prosecuting attorney whose position becomes full time on May 1, 1999, under the provisions of this subsection shall have the additional duty of providing not less than three hours of continuing education to peace officers in the county served by the prosecuting attorney in each year of the term beginning January 1, 1999.

3. The state shall provide one-half of the difference between the salary the prosecutor would make as a part-time prosecutor and the salary the prosecutor makes as a full-time prosecutor for any prosecutor that is made a full-time prosecutor pursuant to this section between August 28, 2000, and August 28, 2001."; and

Further amend the title and enacting clause accordingly.

Representative Parker raised a point of order that **House Amendment No. 5** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Patek moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

On motion of Representative Ward, **HB 1768, as amended**, was ordered perfected and printed.

HB 1712, relating to regional child assessment centers, was placed on the Informal Calendar.

PERFECTION OF HOUSE BILL - INFORMAL

HB 1728, with House Amendment No. 3, HS, as amended, and House Committee Amendment No. 1, pending, relating to state purchasing, was taken up by Representative Backer.

House Amendment No. 3 was withdrawn.

Representative Loudon offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Bill No. 1728, Page 10, Section 37.020, Line 9, by adding after the word "minority" the words "**or disadvantaged**"; and

Further amend said section, Line 10, by adding after the word “reports” the following:

“including but not limited to all state government entities, the Missouri Department of Transportation and the Bi-State Development Agency”; and

Further amend said subsection, by adding after said line the following:

“Such reports shall include:

- a) the percentage of minority or disadvantaged business enterprise participation by project**
- b) the dollar amount paid to minority or disadvantaged business enterprises by project**
- c) the number of minority and female workers by project”;** and

Further amend said section, Line 12, by adding after the word “minority” the word “**disadvantaged**”.

Representative Loudon moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Blunt	Boatright
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliot	Enz	Evans	Foster	Froelker
Gibbons	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kasten	Kelley 47	King	Klindt
Legan	Levin	Linton	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Pouche 30
Purgason	Reinhart	Ridgeway	Robirds	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Tudor	Vogel	Wright	

NOES: 078

Abel	Auer	Backer	Barry 100	Black
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambara	Graham 24	Gratz	Gunn	Hagan-Harrell
Hampton	Harlan	Hilgemann	Hollingsworth	Hoppe
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lawson	Liese	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Reynolds	Riley	Rizzo	Ross	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 001

Reid

ABSENT WITH LEAVE: 019

Berkowitz	Burton	Gaskill	George	Graham 106
Green	Hickey	Hosmer	Lakin	Leake

Lograsso
RelfordLong
RichardsonLuetkenhaus
StokanPatek
Townley

Pryor

VACANCIES: 001

Representative Boucher offered House Amendment No. 4.*House Amendment No. 4*

AMEND House Substitute for House Bill No. 1728, Page 7, Section 37.020, Line 1 of said section, by inserting immediately before said line the following:

“[34.165. 1. In making purchases for this state, its governmental agencies or political subdivisions, the commissioner of administration shall give a bidding preference consisting of a five-point bonus on bids for products and services manufactured, produced or assembled in qualified nonprofit organizations for the blind established pursuant to the provisions of 41 U.S.C. sections 46 to 48c, as amended and in sheltered workshops holding a certificate of approval from the department of elementary and secondary education pursuant to section 178.920, RSMo.

2. The commissioner of administration shall make such rules and regulations regarding specifications, quality standards, time of delivery, performance and other relevant matters as shall be necessary to carry out the purpose of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

3. At the request of the commissioner of administration, the state auditor may examine all records, books and data of any qualified nonprofit organization for the blind to determine the costs of manufacturing products or rendering services and the manner and efficiency of production and administration of such nonprofit organization with relation to any product or services purchased by this state, its governmental agencies or political subdivisions and to furnish the results of such examination to the commissioner for appropriate action.]

34.166. As used in sections 34.166 to 34.169, the following terms mean:

(1) "Blind assistance facility", a qualified nonprofit organization for the blind established pursuant to the provisions of 41 U.S.C. sections 46 to 48c, as amended, or a sheltered workshop holding a certificate of approval from the department of elementary and secondary education pursuant to section 178.920, RSMo;

(2) "Commissioner", the commissioner of administration;

(3) "Missouri bureau of the blind projects", workshops and home industry projects for blind or other handicapped persons which are located in this state and which are supported, operated or supervised by the bureau of the blind in the division of family services, which is hereby authorized to operate such programs;

(4) "State agency", any state office or officer, department, board, commission, bureau or agency, or any division or unit within any such entity, or any other state authority whatsoever.

34.167. 1. The commissioner shall determine fair market prices of products manufactured, processed, and offered for sale and of services offered pursuant to sections 34.166 to 34.169, by each Missouri bureau of the blind project and by each blind assistance facility. All of the products and services shall be standard conforming. Those products and services offered for purchase by or for a state agency shall meet specifications required by the commissioner. Those products offered for purchase by or for a school district shall meet specifications required by the school board of such school district. The commissioner shall revise the prices determined pursuant to this section from time to time in accordance with changing market conditions.

2. At the request of the commissioner, the state auditor may examine all records, books and data of any blind assistance facility to determine the costs of manufacturing products or rendering services and the manner and efficiency of production and administration of such facility with relation to any product or services purchased by any state agency or any political subdivision of this state and to furnish the results of such examination to the commissioner for appropriate action.

3. Each blind assistance facility shall cooperate with and shall provide the commissioner and the director of the division of family services with all information necessary for the administration of sections 34.166 to 34.169.

4. The provisions of sections 34.166 to 34.169 shall apply only to products manufactured or processed in this state or services provided in this state by blind or other handicapped persons.

5. The provisions of sections 34.166 to 34.169 shall not be construed to require a school district to

purchase services offered by blind or other handicapped persons pursuant to sections 34.166 to 34.169.

34.168. 1. The director of the division of family services, with the advice of the bureau of the blind, shall furnish to the office of administration, and to each person or officer authorized to purchase materials, services and supplies for any state agency or school district, a list of products manufactured, processed and offered for sale and of services offered pursuant to section 34.166 to 34.169 by Missouri bureau of the blind projects and by blind assistance facilities.

2. The list of products and services shall be certified by the commissioner. The director of the division of family services, with the advice of the bureau of the blind, shall amend such list from time to time in accordance with the recommendations of the commissioner.

3. The director of the division of family services, with the advice of the bureau of the blind, may charge a reasonable publication fee to those blind assistance facilities which advertise their products or services on such lists. The director of the division of family services shall remit all moneys received pursuant to this section to the state treasurer on a monthly basis.

34.169. 1. The commissioner and any person or officer authorized to purchase materials and supplies for any state agency or school district or to purchase services for any state agency shall purchase, except as otherwise provided in this section, the products and services on the list certified by the commissioner from Missouri bureau of the blind projects or from blind assistance facilities, when those products are to be procured by or for the state or school district or when those services are to be procured by or for the state. Services offered for purchase are not required to be purchased by a school district.

2. Whenever Missouri bureau of the blind projects and blind assistance facilities are unable to supply the products or services needed or are unable to meet delivery requirements on any order or requisition, a written waiver shall immediately be forwarded to the commissioner or to the purchasing officer of the school district by the director of the division of family services or the director's designee and that waiver shall relieve and exempt the state or school district purchasing authority from the mandatory provisions of sections 34.166 to 34.169 in the case of the specific order, request or requisition. Such order, request or requisition shall then proceed as otherwise provided by law.”; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Boucher, **House Amendment No. 4** was adopted.

On motion of Representative Backer, **HS HB 1728, as amended**, was adopted.

On motion of Representative Backer, **HS HB 1728, as amended**, was ordered perfected and printed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SJR 31**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri relating to term limits, and adopting two new sections in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 830**, entitled:

An act to repeal section 211.073, RSMo Supp. 1999, relating to juveniles, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 892**, entitled:

An act to repeal section 221.120, RSMo Supp. 1999, relating to medical expenses of prisoners, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1110**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health, and the several divisions and programs thereof and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

With Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1110, Pages 13-14, Section 10.415, Line 16, by inserting a line to read:

“For the purpose of funding autistic services through the St. Louis Regional Center \$350,000 General Revenue”;
and

Further amend said section, Line 27, by deleting the number “\$113,881,177” and inserting in lieu thereof the number “**\$114,231,177**”.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1110, Page 20, Section 10.600, Line 3, by inserting immediately after the word “support” the following:

“provided that no state funds shall be used to compensate legal counsel, hire attorneys, or for legal consulting”;
and

Further amend said section, by deleting the number “\$2,252,778” and inserting in lieu thereof the number “**\$2,219,329**”; and

Further amend said section, Line 6, by deleting the number “\$2,728,047” and inserting in lieu thereof the number “**\$2,694,598**”; and

Further amend said section, Line 10, by deleting said line and inserting in lieu thereof the following:

“Total (Not to exceed 86.20 FTE) \$4,240,614”;
and

Further amend said bill, Section 10.655, Line 3, by inserting immediately after the word “support” the following:

“provided that no state funds shall be used to compensate legal counsel, hire attorneys, or for legal consulting”;
and

Further amend said bill, Section 10.760, Line 4, by deleting the number “\$2,950,369” and inserting in lieu thereof the number “**\$2,895,805**”; and

Further amend said section, Line 6, by deleting the number “\$3,470,834” and inserting in lieu thereof the number **”\$3,416,270”**; and

Further amend said section, Line 26, by deleting said line and inserting in lieu thereof the following:

“Total (Not to exceed 257.51 FTE \$11,658,463”.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1110, Page 32, Section 10.710, Line 154, by striking out the number “\$5,418,639” and inserting in lieu thereof the number “**\$5,268,639**”; and

Further amend said section, Line 156, by striking the number “\$6,883,458” and inserting in lieu thereof the number “**\$6,733,458**”; and

Further amend said bill, Page 33, Section 10.715, Line 35, by striking the number “\$1,000,000” and inserting in lieu thereof the number “**\$1,150,000**”.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1110, Page 18, Section 10.565, Line 5, by deleting the number “\$177,862” and inserting in lieu thereof the number “**\$145,189**”; and

Further amend said section, Line 9, by deleting the number “\$1,608,925” and inserting in lieu thereof the number “**\$1,576,252**”; and

Further amend said bill, Section 10.570, Line 6, by deleting the number “\$23,237,224” and inserting in lieu thereof the number “**\$22,974,976**”; and

Further amend said section, Line 8, by deleting the number “\$24,341,905” and inserting in lieu thereof the number “**\$24,079,657**”; and

Further amend said bill, Section 10.575, Line 6, by deleting the number “\$10,803,983” and inserting in lieu thereof the number “**\$10,659,835**”; and

Further amend said section, Line 12, by deleting the number “\$13,584,460” and inserting in lieu thereof the number “**\$13,440,312**”; and

Further amend said bill, Section 10.580, Line 6, by deleting the number “\$22,601,046” and inserting in lieu thereof the number “**\$22,337,001**”; and

Further amend said section, Line 8, by deleting the number “\$24,190,563” and inserting in lieu thereof the number “**\$23,926,518**”; and

Further amend said bill, Section 10.585, Line 6, by deleting the number “\$10,542,465” and inserting in lieu thereof the number “**\$10,437,708**”; and

Further amend said bill, Section 10.590, Line 7, by deleting the number “\$18,396,133” and inserting in lieu thereof the number “**\$18,182,847**”; and

Further amend said section, Line 9, by deleting the number “\$18,889,117” and inserting in lieu thereof the number “**\$18,675,831**”; and

Further amend said bill, Section 10.595, Line 6, by deleting the number “\$6,080,368” and inserting in lieu thereof the number “**\$6,001,525**”; and

Further amend said section, Line 8, by deleting the number “\$6,136,366” and inserting in lieu thereof the number “**\$6,057,523**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1111**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

With Senate Amendment No. 3, Senate Amendment No. 3 to Senate Substitute Amendment No. 1 for Senate Amendment No. 5, Senate Substitute Amendment No. 1 for Senate Amendment No. 5, as amended, Senate Amendment No. 6, and Senate Amendment No. 7.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, Page 18, Section 11.255, Line 3, by inserting after the word “Communities” the following:

“provided that funds appropriated within this section only be provided to organizations whose voting members are Missouri residents.”; and

Further amend said section, Line 5, by inserting after the word “payments” the following:

“provided that funds appropriated within this section only be provided to organizations whose voting members are Missouri residents.”; and

Further amend said section, Line 7, by inserting after the word “payments” the following:

“provided that funds appropriated within this section only be provided to organizations whose voting members are Missouri residents.”.

*Senate Amendment No. 3
to
Senate Substitute Amendment No. 1
for
Senate Amendment No. 5*

AMEND Senate Substitute Amendment No. 1 for Senate Amendment No. 5 to Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, by deleting Lines 7-10 and inserting in lieu thereof the following new lines:

“From General Revenue Fund	\$141,000,000
From Federal Funds	\$311,402,068
From Uncompensated Care Fund	\$35,600,000
From Tobacco Settlement Proceeds	\$22,000,000
Total (O.F.T.E.)	\$700,270,915”.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 5*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, Pages 24 and 25, Section 11.445, Lines 32 through 39, by deleting all of said lines and inserting in lieu thereof the following:

“For the purpose of funding per diem care in nursing facilities at the highest level possible within appropriations based upon the 1998 audited cost reports as reported by the Division of Medical Services, Program for All-Inclusive Care for the Elderly, or other long-term care services under the Medicaid fee-for-service and managed care programs.

From General Revenue Fund	\$163,000,000
From Federal Funds	\$311,402,068
From Uncompensated Care Fund	\$35,600,000
Total (O F.T.E.)	\$700,270,915”.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, Page 17, Section 11.235, Line 41, by inserting the following new section after “\$110,221,676”:

“Section 11.236. To the Department of Social Services for the Division of Family Services for the purpose of funding enhanced foster care program payments. From General Revenue Fund \$1,500,000”; and

Further amend said bill, Section 11.415, Page 22, Line 5, by deleting “\$1,970,000” and inserting in lieu thereof “**\$470,000**”; and

Further amend said section, Line 7, by deleting “\$3,940,52” and inserting in lieu thereof “**\$2,440,527**”; and

Further amend said section, by inserting immediately after Section 11.525, Page 30, Line 12, the following new section:

**“Section 11.530. To the Department of Social Services for the Purpose of funding following medicaid outreach activities: Contractor payments associated with managed care eligibility and enrollment of medicaid recipients
From federal funds \$1,500,000”.**

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, Page 1, Section 11.005, Line 3, by inserting immediately after the word “Director” the following:

“provided that the rate of fees are increased for all providers not to exceed the same rate increase as received by the nursing home industry”.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1110, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Merideth assumed the Chair.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1110, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1111, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1111, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Gaw resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SS#3 SJR 35**, entitled:

An act submitting to the qualified voters of Missouri, and amendment repealing section 3 of article XIII of the Constitution of Missouri relating to the Missouri citizens’ commission on the compensation for elected officials, and adopting one new section in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 851**, entitled:

An act to repeal sections 513.605, 513.607, 513.647 and 513.653, RSMo 1994, relating to the criminal activity forfeiture act, and to enact in lieu thereof four new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 793**, entitled:

An act to amend chapter 302, RSMo, by adding thereto one new section relating to motor vehicles.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 954**, entitled:

An act to amend chapter 620, RSMo, by adding thereto two new sections relating to cultural tourism.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1027 & 815**, entitled:

An act to repeal section 192.070, RSMo 1994, and sections 167.181 and 332.311, RSMo Supp. 1999, relating to dental care, and to enact in lieu thereof five new sections relating to the same subject, with a termination date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1109** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1110, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1111, as amended**, and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HCS HB 1109: Representatives Franklin, Kelly (27), Troupe, Legan and Crawford

SCS HCS HB 1110: Representatives Franklin, Williams (121), Riback Wilson (25), Shields and Patek

MESSAGES FROM THE SENATE

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1109**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1110, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1111, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

SUPPLEMENTAL CALENDAR

April 25, 2000

SENATE BILLS FOR THIRD READING

- 1 SB 810 - Gunn
- 2 HCS SCS SB 719 - Hoppe
- 3 HCS SS SB 813 - Kissell
- 4 HCS SCS SB 721 - Boucher
- 5 HCS SB 881 - Hoppe
- 6 HCS SB 856 - Harlan

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 2170, introduced by Representative Gaskill, relating to compulsory ages for school attendance.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Leake is no longer a member of the Tourism, Recreation and Cultural Affairs Committee.

Representative Lakin is no longer a member of the Local Government and Related Matters Committee.

Representative Parker is no longer a member of the Appropriations - Social Services and Corrections Committee.

Representative Brooks has been appointed a member of the Appropriations - Social Services and Corrections Committee, Local Government and Related Matters Committee, Tourism, Recreation and Cultural Affairs Committee, and Urban Affairs Committee.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 26, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-eighth Day, Thursday, April 20, 2000, page 1052, line 25, by deleting the words **“SCS HCS HB 1104, as amended,”** and inserting in lieu thereof the words **“SCS HCS HB 1104,”**.

Page 1051, Line 27, by deleting the words **“Do Pass.”** and inserting in lieu thereof the following: **“Do Pass with House Committee Amendment No. 1.”**

House Committee Amendment No. 1

AMEND House Resolution No. 573, Page 1, Paragraph 5, Line 4, by striking the words “and one independent member”.

Pages 1036 and 1037, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 1037 and 1038, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Pages 1041 and 1042, roll call, by showing Representative Champion voting "no" rather than "absent with leave".

Pages 1043 and 1044, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1045, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Page 1046, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1048, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Wednesday, April 26, 2000. Room 414 upon morning adjournment.

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 26, 2000. Hearing Room 3 upon morning adjournment.

Executive Session will follow.

To be considered - SB 804

CHILDREN, YOUTH AND FAMILIES

Wednesday, April 26, 2000, 9:00 am. Hearing Room 4.

Continuation of Executive Session.

To be considered - SB 597

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 26, 2000. Hearing Room 1 upon morning adjournment.

Executive Session.

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, April 26, 2000, 8:00 am. Senate Committee Rooms 2 and 3.

To be considered - HB 1102, HB 1103, HB 1104, HB 1105, HB 1106, HB 1107, HB 1108, HB 1109, HB 1110, HB 1111

EDUCATION - HIGHER

Wednesday, April 26, 2000. Hearing Room 5 upon morning adjournment.

To be considered - SB 1066

ENVIRONMENT AND ENERGY

Wednesday, April 26, 2000. Hearing Room 5 upon afternoon adjournment.

Executive Session. AMENDED.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 26, 2000. Side gallery upon morning adjournment.

Executive Session may follow.

To be considered - HR 295

PUBLIC SAFETY AND LAW ENFORCEMENT

Thursday, April 27, 2000, 9:30 am. Side gallery.

Executive Session.

TRANSPORTATION

Wednesday, April 26, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - SB 610, SB 683

HOUSE CALENDAR

SIXTIETH DAY, WEDNESDAY, APRIL 26, 2000

HOUSE BILL FOR SECOND READING

HB 2170

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45, HCA 1 - Scheve

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1120 - Franklin

HOUSE BILLS FOR PERFECTION

- 1 HB 2011 - Overschmidt
- 2 HCS HB 1747 - Barry
- 3 HCS HB 1888 - Wilson (42)
- 4 HB 2102 - Hampton
- 5 HB 1066, HCA 1 - Riback Wilson (25)
- 6 HB 1394 - Murray
- 7 HB 1159 - Boucher
- 8 HB 1280 - Clayton
- 9 HB 1502 - Smith
- 10 HCS HB 1547 - Scheve
- 11 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 12 HB 1546 - Smith
- 13 HCS HB 1606 - Bray
- 14 HCS HB 1225 - Hosmer
- 15 HCS HB 1540 - Green
- 16 HCS HB 1942 - Liese
- 17 HCS HB 1578 - Shelton
- 18 HB 2056 - Gunn
- 19 HCS HB 1718 - Smith
- 20 HCS HB 1966 - Hosmer
- 21 HCS HB 1997 - Smith
- 22 HCS HB 1336 - Lakin
- 23 HCS HB 1780 - Liese
- 24 HCS HB 1816 - Hosmer
- 25 HCS HB 1357 - Bonner
- 26 HB 1872 - Seigfreid
- 27 HCS HB 1674 - Graham (24)
- 28 HCS HB 1154 - Boucher
- 29 HCS HB 2114 - Hoppe

30 HCS HB 1649 - Williams (121)

31 HB 1216 - Kelly (27)

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1362, HS, as amended, pending - Harlan

2 HCS HB 1602, as amended - Leake

3 HCS HB 1143, as amended - Scheve

4 HCS HB 1932 - Harlan

5 HB 1712 - McKenna

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

1 HCR 29, (4-13-00, pg. 951) - Graham (24)

2 HCR 23, (3-16-00, pg. 646) - Bray

3 HCR 4, (2-24-00, pg. 399) - Kennedy

4 HCR 22, (4-17-00, pg. 970) - Liese

5 HCR 27, (4-13-00, pg. 951) - Ross

6 HCR 28, (4-11-00, pg. 916) - Van Zandt

HOUSE BILLS FOR THIRD READING

1 HS HCS HB 1489, 1488 & 1650 - Kennedy

2 HS HCS HB 1811 - Kreider

3 HCS HB 1961 - Fraser

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1828 - Gross

2 HB 1095 - Richardson

3 HB 1358 - Loudon

4 HB 1275 - Chrismer

SENATE JOINT RESOLUTIONS FOR SECOND READING

1 SS SJR 31

2 SS SS#3 SJR 35

SENATE BILLS FOR SECOND READING

1 SCS SB 793

2 SB 830

3 SB 851

4 SB 892

5 SCS SB 954

6 SCS SB 1027 & 815

SENATE BILLS FOR THIRD READING

- 1 SB 810 - Gunn
- 2 HCS SCS SB 719 - Hoppe
- 3 HCS SS SB 813 - Kissell
- 4 HCS SCS SB 721 - Boucher
- 5 HCS SB 881 - Hoppe
- 6 HCS SB 856 - Harlan

SENATE BILL FOR THIRD READING - INFORMAL

HS HCS SS SB 549, as amended, E.C. - Van Zandt

BILLS IN CONFERENCE

- 1 SCS HCS HB 1102, as amended - Franklin
- 2 SCS HCS HB 1103, as amended - Franklin
- 3 SCS HCS HB 1104 - Franklin
- 4 SCS HCS HB 1105, as amended - Franklin
- 5 SCS HCS HB 1106, as amended - Franklin
- 6 SCS HCS HB 1107, as amended - Franklin
- 7 SCS HCS HB 1108 - Franklin
- 8 SCS HCS HB 1109 - Franklin
- 9 SCS HCS HB 1110, as amended - Franklin
- 10 SCS HCS HB 1111, as amended - Franklin

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTIETH DAY, WEDNESDAY, APRIL 26, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Dear God, as Missouri's farmers prepare the soil, plant seeds, and work their land, so may these, our Missouri legislators, prepare our citizens for even more abundant harvests. We pray for fertile ground of reflection into our state's real needs, for the plowing of research into ways and means, for fertilizing our people with dreams of what might be, and cultivating social networks that will bring community and interdependence.

May the sights and sounds be cooperation, backed by the silence of prayer and trust in Your still and certain increase in our hearts. The end of this session draws near, today's work brings that harvest even closer, Oh God of Bountiful Abundance. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Justin King, Kassondra Gaddy, Janeace Campbell, Steven Robinson, Nicholas Wray, Tiffany Verstraete, Trisha Riggs, Brooklyn Turner, Cole McCauley, Abby Swett, David Kozminski, Libby Jones, Rachel Duffey, Jacob Duffey, Elijah Duffey, Elise Gregory, Kathryn Bruns, Richard Magnanti, Shawn Emra, Jacklyn Sallee, Brenden Clark and Adam Person.

The Journal of the fifty-ninth day was approved as printed by the following vote:

AYES: 080

Abel	Auer	Backer	Barry 100	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt

Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Green
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kasten	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 001

Reid

ABSENT WITH LEAVE: 007

Berkowitz	Dolan	Hosmer	Kelley 47	Relford
Shelton	Stokan			

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1234 - Representative Kreider
House Resolution No. 1235
through
House Resolution No. 1248 - Representative Cierpiot
House Resolution No. 1249 - Representative Lograsso

SECOND READING OF HOUSE BILL

HB 2170 was read the second time.

SECOND READING OF SENATE JOINT RESOLUTIONS

SS SJR 31 and **SS SS#3 SJR 35** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 793, SB 830, SB 851, SB 892, SCS SB 954 and **SCS SBs 1027 & 815** were read the second time.

REFERRAL OF HOUSE BILLS

The following Houses Bills were referred to the Committee indicated:

HS HB 1728 - Fiscal Review (Fiscal Note)
HS HCS HB 1927 - Fiscal Review (Fiscal Note)

PERFECTION OF HOUSE BILL

HB 2011, relating to property tax, was taken up by Representative Overschmidt.

Representative Overschmidt offered **HS HB 2011**.

Representative Smith assumed the Chair.

Representative Kreider offered **House Amendment No. 1**.

Representative Overschmidt raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Fitzwater offered **House Amendment No. 1**.

Representative Overschmidt raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Boucher offered **House Amendment No. 1**.

Speaker Pro Tem Kreider resumed the Chair.

Representative Overschmidt raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Griesheimer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 2011, Page 12, Section 137.073, Line 2 of said page, by inserting after the word "**rate**," the following:

"If any court refuses to grant injunctive relief against a taxing authority's tax rate as requested by the attorney general, then the attorney general's office shall reimburse the taxing authority all court costs and attorney's fees incurred as a result of such court proceeding."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Griesheimer, **House Amendment No. 1** was adopted.

Representative Wiggins offered **House Amendment No. 2**.

Representative Overschmidt raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Luetkemeyer offered **House Amendment No. 2**.

Representative Bray raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hendrickson offered **House Amendment No. 2**.

Representative Bray raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 2011, Page 14, Section 137.073, Line 20 of said page, by inserting after all of said line the following:

"139.031. 1. Any taxpayer may protest all or any part of any taxes assessed against [him] **such taxpayer**, except taxes collected by the director of revenue of Missouri. Any such taxpayer desiring to pay any taxes under protest shall, at the time of paying such taxes, file with the collector a written statement setting forth the grounds on which [his] **such taxpayer's** protest is based. The statement shall include the true value in money claimed by the taxpayer if disputed.

2. Upon receiving payment of taxes under protest pursuant to subsection 1 of this section or upon receiving notice of an appeal pursuant to section 138.430, RSMo, the collector shall disburse to the proper official all portions of taxes not disputed by the taxpayer and shall impound in a separate fund all portions of such taxes which are in dispute. Except as provided in subsection 3 of this section, every taxpayer protesting the payment of taxes shall, within ninety days after filing [his] **such taxpayer's** protest, commence an action against the collector by filing a petition for the recovery of the amount protested in the circuit court of the county in which the collector maintains [his] **an** office. If any taxpayer so protesting [his] **such taxpayer's** taxes shall fail to commence an action in the circuit court for the recovery of the taxes protested within the time prescribed in this subsection, such protest shall become null and void and of no effect, and the collector shall then disburse to the proper official the taxes impounded, and any interest earned thereon, as provided above in this subsection.

3. No action against the collector shall be commenced by any taxpayer who has, for the tax year in issue, filed with the state tax commission a timely and proper appeal of the protested taxes. Such taxpayer shall notify the collector of the appeal in the written statement required by subsection 1 of this section. The taxes so protested shall be impounded in a separate fund and the commission may order all or any part of such taxes refunded to the taxpayer, or may authorize the collector to release and disburse all or any part of such taxes in its decision and order issued pursuant

to chapter 138, RSMo.

4. Trial of the action in the circuit court shall be in the manner prescribed for nonjury civil proceedings, and, after determination of the issues, the court shall make such orders as may be just and equitable to refund to the taxpayer all or any part of the taxes paid under protest, together with any interest earned thereon, or to authorize the collector to release and disburse all or any part of the impounded taxes, and any interest earned thereon, to the appropriate officials of the taxing authorities. Either party to the proceedings may appeal the determination of the circuit court.

5. All the county collectors of taxes, and the collector of taxes in any city not within a county, shall, upon written application of a taxpayer, [refund any real or tangible personal property tax mistakenly or erroneously paid in whole or in part to the collector, or shall] credit against the taxpayer's tax liability in the following taxable year **and subsequent consecutive taxable years until the credit is fully used** any real or personal property tax mistakenly or erroneously levied against the taxpayer and collected in whole or in part by the collector, **or, if the taxpayer has no tax liability to such collector in the immediately following taxable year, refund any balance remaining on real or tangible personal property tax mistakenly or erroneously paid in whole or in part to the collector.** Such application shall be filed within [one year] **three years** after the tax is mistakenly or erroneously paid. The governing body, or other appropriate body or official of the county or city not within a county, shall make available to the collector funds necessary to make refunds [under] **pursuant to** this subsection by issuing warrants **pro rata in the amount credited to each political subdivision** upon the fund to which the mistaken or erroneous payment has been credited, or otherwise.

6. [No] **A** taxpayer shall receive any interest **at the rate required by section 32.065, RSMo,** on any money paid in by [him] **such taxpayer** erroneously.

7. All protested taxes shall be invested by the collector in the same manner as assets specified in section 30.260, RSMo, for investment of state moneys. A taxpayer who is entitled to a refund of protested taxes shall also receive the interest earned on the investment thereof. If the collector is ordered to release and disburse all or part of the taxes paid under protest to the proper official, such taxes shall be disbursed along with the proportional amount of interest earned on the investment of the taxes due the particular taxing authority.

8. On or before March first next following the delinquent date of taxes paid under protest, the county collector shall notify any taxing authority of the taxes paid under protest which would be received by such taxing authority if the funds were not the subject of a protest. Any taxing authority may apply to the circuit court of the county or city not within a county in which a collector has impounded protested taxes [under] **pursuant to** this section and, upon a satisfactory showing that such taxing authority would receive such impounded tax funds if they were not the subject of a protest and that such taxing authority has the financial ability and legal capacity to repay such impounded tax funds in the event a decision ordering a refund to the taxpayer is subsequently made, the circuit court shall order, pendente lite, the disbursement of all or any part of such impounded tax funds to such taxing authority. The circuit court issuing an order [under] **pursuant to** this subsection shall retain jurisdiction of such matter for further proceedings, if any, to compel restitution of such tax funds to the taxpayer. In the event that any protested tax funds refunded to a taxpayer were disbursed to a taxing authority [under] **pursuant to** this subsection instead of being held and invested by the collector [under] **pursuant to** subsection 7 of this section, such taxing authority shall pay the taxpayer entitled to the refund of such protested taxes the same amount of interest, as determined by the circuit court having jurisdiction in the matter, such protested taxes would have earned if they had been held and invested by the collector.

9. No appeal filed shall stay any order of refund, but the decision filed by any court of last review modifying the circuit court's or state tax commission's determination pertaining to the amount of refund shall be binding on the parties, and the decision rendered shall be complied with by the party affected by any modification within ninety days of the date of such decision. No taxpayer shall receive any interest on any additional award of refund, and the collector shall not receive any interest on any ordered return of refund in whole or in part."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bray raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Froelker, **House Amendment No. 2** was adopted.

Representative Pouche offered **House Amendment No. 3**.

Representative Bray raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Gross offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Bill No. 2011, Page 10, Section 137.073, Lines 3-4, by deleting the word “**may**” and inserting in lieu thereof the word “**shall**”; and

Further amend said section by inserting before the words “**five/one**” the words “**or equal to**”.

On motion of Representative Gross, **House Amendment No. 3** was adopted.

Representative Purgason offered **House Amendment No. 4**.

Representative Overschmidt raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Overschmidt, **HS HB 2011, as amended**, was adopted.

On motion of Representative Overschmidt, **HS HB 2011, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 1120, relating to appropriations, was taken up by Representative Franklin.

Representative Green offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1120, Page 3, Section 20.055, Lines 1 through 4, by deleting all of said section; and

Further amend said bill, Page 3, Section 20.055, Lines 1 through 4, by deleting all of said section; and

Further amend said bill, Page 3, Section 20.060, Lines 1 through 4, by deleting all of said section; and

Further amend said bill, Page 3, Section 20.061, Lines 1 through 4, by deleting all of said section; and

Further amend said bill, Page 3, Section 20.065, Lines 1 through 4, by deleting all of said section; and

Further amend said bill, Page 4, Section 20.070, Lines 1 through 4, by deleting all of said section; and

Further amend said bill, Page 4, Section 20.071, Lines 1 through 4, by deleting all of said section; and

Further amend said bill, Page 4, Section 20.075, Lines 1 through 4, by deleting all of said section.

HCS HB 1120, with House Amendment No. 1, pending, was laid over.

Speaker Gaw assumed the Chair.

On motion of Representative Crump, the House recessed until 1:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amanus Williams, Corey Dukes, Chastity Gaines and Geauntrici Guynn.

RESOLUTIONS

House Resolution No. 1094 was taken up by Representative Holand and read.

House Resolution No. 1094

WHEREAS, the members of the Missouri House of Representatives always welcome the opportunity to recognize those Show-Me State educators who have risen to national prominence within their profession because of the excellence and effectiveness of their endeavors; and

WHEREAS, Ferba Lofton has attained the rare and enviable status of Missouri's National Distinguished Principal for 2000, an honor that will take her to Washington, D.C., in October to represent this state during two days of activities involving sixty elementary principals from around the nation; and

WHEREAS, the Principal at Eugene Field Elementary School in Springfield, Missouri, Ferba Lofton is a Springfield native who married her beloved William after high school and moved to Boston, Massachusetts, where her diligent studies earned her a Bachelor of Science degree in education from Boston State College and a Master of Education degree from Antioch College; and

WHEREAS, a former teacher and administrator in the Boston Public Schools, Ferba Lofton returned to her hometown in 1982 to take a teaching position at Jeffries Elementary; and

WHEREAS, accepting increased duties and responsibilities down through the years, Ferba Lofton became Chapter 1 Supervisor, Chapter 1 Summer School Coordinator, and Principal at Rountree Elementary and Harry S Truman Elementary before taking the top administrative position at Field Elementary in 1998; and

WHEREAS, additional graduate studies at Lesley College and Drury College helped deepen and widen Ferba Lofton's understanding of her profession, and today she is universally praised for an educational philosophy that includes staff, parents, and students working cooperatively to create a nurturing, accountable learning environment; daily visits to the classroom to assess performance, praise success, and provide support; an emphasis on continued professional development for herself and her teaching staff; and the recruitment of a significant body of volunteers:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, join unanimously to salute the impressive life and tremendously effective leadership skills of Ferba Lofton and to convey to her this legislative body's heartiest congratulations upon her well-deserved selection as the Missouri National Distinguished Principal; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Ferba Lofton, Principal of Eugene Field Elementary School in Springfield, Missouri.

Representatives Hagan-Harrell and Merideth offered House Resolution No. 1250.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1251 - Representative McBride
House Resolution No. 1252 - Representative Ross
House Resolution No. 1253 - Representative Patek
House Resolution No. 1254 - Representative Davis (122)
House Resolution No. 1255 - Representative Parker
House Resolution No. 1256
through
House Resolution No. 1261 - Representative Myers
House Resolution No. 1262 - Representative Purgason
House Resolution No. 1263
through
House Resolution No. 1284 - Representative Williams (121)

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1122, HS HB 1728, HB 1768, HS HCS HB 1927 and HB 1946**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 1120, with House Amendment No. 1, pending, relating to appropriations, was again taken up by Representative Franklin.

Representative Hollingsworth offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Franklin raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Speaker Gaw resumed the Chair.

Representative Bennett offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Lakin raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment and goes beyond the scope of the bill.

The Chair ruled the second point of order well taken.

Representative Green moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Alter	Auer	Barry 100	Bennett	Bonner
Boucher 48	Chrismer	Cierpiot	Clayton	Crump
Davis 63	Enz	Evans	Foley	Gambara
George	Gratz	Green	Griesheimer	Gunn
Hagan-Harrell	Hendrickson	Hickey	Hollingsworth	Kelly 27
Kennedy	Leake	Levin	Liese	Linton
Lograsso	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	McKenna	Murphy	Murray	O'Connor
O'Toole	Overschmidt	Phillips	Pryor	Purgason
Reynolds	Ridgeway	Rizzo	Robirds	Selby
Skaggs	Smith	Townley	Treadway	Wagner
Ward				

NOES: 099

Abel	Akin	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Berkstresser	Black	Blunt
Boatright	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Crawford	Curls
Davis 122	Days	Dolan	Dougherty	Elliott
Farnen	Fitzwater	Ford	Foster	Franklin
Fraser	Froelker	Gibbons	Graham 106	Graham 24
Gross	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hilgemann	Hohulin	Holand
Hoppe	Howerton	Kasten	Kelley 47	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Legan	Long	Mays 50	McBride
McClelland	McLuckie	Merideth	Miller	Monaco
Myers	Naeger	Nordwald	Ostmann	Parker
Patek	Pouche 30	Ransdall	Reid	Reinhart
Richardson	Riley	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Seigfreid	Shelton
Shields	Summers	Surface	Thompson	Tudor
Van Zandt	Vogel	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Berkowitz	Gaskill	Hosmer	Relford	Secrest
Stokan	Troupe			

VACANCIES: 001

Representative Crump offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1120, Page 5, Section 20.087, Line 4, by adding after said line one new section to read as follows:

“Section 20.088. To the Department of Natural Resources

For the Division of State Parks

For the planning, design and construction of an overlook viewing area at Taum Sauk Mountain

State Park in Iron County

From Parks Sales Tax Fund \$145,000”.

On motion of Representative Crump, **House Amendment No. 2** was adopted.

Representative Selby offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1120, Page 4, Section 20.080, Lines 1-3, by deleting all of said lines and inserting in lieu thereof the following:

“Section 20.080. To the Department of Transportation

For the port authority capital improvement project grants

Local matching funds must be provided on a 80/20 state/local
match rate to be eligible for state funds

For the Howard/Cooper Regional Port	\$499,440
For the Kansas City Port	416,320
For the New Bourbon Regional Port	1,539,552
For the New Madrid County Port	416,320
For the Pemiscot County Port	1,014,597
For the St. Joseph Regional Port	416,320
For the St. Louis City Port	281,840
For the Southeast Missouri Regional Port	<u>1,514,720</u>
From General Revenue Fund	\$6,099,109”.

Representative Selby moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Shields offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1120, Page 5, Section 20.095, Line 1, by deleting all of said section.

Representative Shields moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Wright		

NOES: 081

Abel	Auer	Backer	Barry 100	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	George
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkowitz	Elliott	Gambaro	Hosmer	Long
Relford	Stokan	Troupe		

VACANCIES: 001

Representative Green offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1120, Page 2, Section 20.010, Line 4, by deleting the numeral amount "\$600,000" on said line and inserting in lieu thereof the numeral amount "\$400,000"; and

Further amend said bill, Page 2, Section 20.010, Line 6, by deleting the numeral amount "\$6,459,819" on said line and inserting in lieu thereof the numeral amount "\$6,259,819".

On motion of Representative Green, **House Amendment No. 5** was adopted by the following vote:

AYES: 100

Abel	Akin	Alter	Auer	Backer
Barry 100	Blunt	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Chrismer
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Fraser
George	Gibbons	Graham 24	Gratz	Green
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hendrickson	Hickey	Hilgemann	Hollingsworth
Hoppe	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkenhaus	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Monaco	Murphy	Murray
Nordwald	O'Connor	Ostmann	Overschmidt	Parker
Pryor	Ransdall	Reid	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Thompson
Treadway	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 053

Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Berkstresser	Black	Boatright	Burton	Champion
Cierpiot	Crawford	Foster	Froelker	Gaskill
Graham 106	Griesheimer	Hartzler 123	Hartzler 124	Hegeman
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Lograsso	Luetkemeyer	Marble
Merideth	Miller	Myers	Naeger	Patek
Phillips	Pouche 30	Purgason	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Berkowitz	Elliott	Franklin	Gambaro	Hosmer
O'Toole	Relford	Stokan	Troupe	

VACANCIES: 001

Representative Backer offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1120, Page 2, Section 20.020, Line 4, by deleting the number "\$11,950,000" and inserting in lieu thereof the number "\$10,000,000"; and

Further amend said bill, Page 2, Section 20.025, by deleting the number "\$7,757,428" and inserting in lieu thereof the number "\$7,000,000".

Representative Lograsso offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1120, by reducing each appropriation amount by 5%, except those amounts that have previously been amended.

Representative Monaco offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Substitute Amendment No. 1 for House Amendment No. 6 to House Committee Substitute for House Bill No. 1120, by adding after the word “amended” the following:

“adding half of the 5% to the School Building Revolving Fund for capital improvements and the remaining half for the purposes of funding construction maintenance and repair to County Court Houses statewide.”.

Representative Franklin raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Lakin assumed the Chair.

Representative Monaco moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Abel	Barry 100	Bartle	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Campbell
Cierpiot	Clayton	Crump	Curls	Davis 122
Days	Dolan	Dougherty	Fitzwater	Foley
Fraser	Green	Gunn	Hagan-Harrell	Hampton
Harlan	Hickey	Hilgemann	Hollingsworth	Kennedy
Koller	Kreider	Lakin	Liese	May 108
Mays 50	McKenna	McLuckie	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Riley	Rizzo	Ross	Scheve	Schilling
Seigfreid	Selby	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Wilson 42	Mr. Speaker	

NOES: 082

Akin	Alter	Auer	Backer	Ballard
Barnett	Bartelsmeyer	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Crawford	Davis 63
Enz	Evans	Farnen	Foster	Franklin

Froelker	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kasten	Kelley 47	Kelly 27	King
Kissell	Klindt	Lawson	Legan	Levin
Linton	Lograsso	Loudon	Luetkemeyer	Marble
McBride	McClelland	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Reynolds	Ridgeway	Robirds	Sallee
Schwab	Scott	Secrest	Shelton	Shields
Summers	Surface	Townley	Tudor	Williams 159
Wilson 25	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 016

Bennett	Berkowitz	Burton	Elliott	Ford
Gambara	Gross	Hoppe	Hosmer	Leake
Long	Luetkenhaus	Relford	Richardson	Stokan
Vogel				

VACANCIES: 001

Representative Lograsso moved that **House Substitute Amendment No. 1 for House Amendment No. 6** be adopted.

Which motion was defeated.

House Amendment No. 6 was withdrawn.

Speaker Gaw resumed the Chair.

On motion of Representative Franklin, **HCS HB 1120, as amended**, was adopted.

On motion of Representative Franklin, **HCS HB 1120, as amended**, was ordered perfected and printed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 1111: Representatives Franklin, Troupe, Kelly (27), Shields and Kelley (47).

REFERRAL OF HOUSE REMONSTRANCE

The following House Remonstrance was referred to the Committee indicated:

HRM 1 - Rules, Joint Rules and Bills Perfected and Printed

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SS#2 SJR 53 - Rules, Joint Rules and Bills Perfected and Printed

COMMITTEE REPORTS

Committee on Banks and Financial Institutions, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SB 804**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 944**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SB 741**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SBs 678 & 742**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 894**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SS SB 902**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 683**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 37, introduced by Representatives Hagan-Harrell and Merideth, establishing a Joint Interim Committee to make a comprehensive study on developing retirement medical cost account plans for state employees.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 38**.

Senate Concurrent Resolution No. 38

WHEREAS, building codes promote public safety, health, and general welfare and protect the lives and property of our citizens; and

WHEREAS, building codes require that all affected construction meet minimum standards and provide fair and equal opportunities for contractors and owners by consistent application of these standards; and

WHEREAS, building codes protect our citizens from hazardous buildings and help maintain property values; and

WHEREAS, there are numerous building codes in the state varying from county to county and municipality to municipality; and

WHEREAS, the number of codes restricts competitive business among builders and contractors as they must spend time and money to learn and comply with each different code; and

WHEREAS, an in-depth study and evaluation must be made of the alternatives and strategies available for the implementation of a single building code to better serve the citizens and business population in Missouri; and

WHEREAS, the three model code groups have combined to formulate a single code entitled the "International Building Code"; and

WHEREAS, the International Building Code is being finalized during the spring of 2000; and

WHEREAS, the Governor's Commission for the Review and Formulation of Building Code Implementation was created in 1999 by Senate Concurrent Resolution; and

WHEREAS, the Commission held four hearings during 1999 and issued a preliminary report on December 1, 1999; and

WHEREAS, the Commission shall dissolve on May 31, 2000 unless its authority is extended:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Second Regular Session, Ninetieth General Assembly, the House of Representatives concurring therein, request that the commission continue to solicit any input and information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the commission shall conduct an in-depth study and make additional recommendations concerning the implementation of a building code to ensure fair and equal opportunity for businesses by the consistent application of minimum safety standards for the citizens of Missouri; and

BE IT FURTHER RESOLVED that the commission shall prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the Governor and the General Assembly by December 1, 2000, and then shall be dissolved May 31, 2001; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of executive branch members and members appointed by the governor as well as the actual and necessary expenses of any staff provided by the office of administration and the cost of any outside consultants to the commission shall be paid from funds appropriated to the Office of Administration; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the legislative members and any legislative staff assigned to the commission shall be paid from the joint contingent fund; and

BE IT FURTHER RESOLVED that the staff of Senate Research, House Research, the Joint Committee on Legislative Research, and the Office of Administration shall provide such legal, research, clerical, technical and bill drafting services as the commission may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor, the Attorney General, the Director of the Department of Public Safety, the Director of the Department of Natural Resources, and the Director of the Division of Design and Construction.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1112**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, the Joint Committee on Administrative Rules, the Joint Committee on Public Employee Retirement Systems, the Joint Committee on Capital Improvements Oversight, and the Joint Committee on Gaming and Wagering; for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

With Senate Amendment No. 1 and Senate Amendment No. 2

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1112, Page 5, Section 12.090, Line 7, by deleting the number "1,293,550" and inserting in lieu thereof the number "**1,301,750**"; and

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Further amend said section, Line 10, by deleting the number "7,009,108" and inserting in lieu thereof the number "**7,017,308**"; and

Further amend said section, Line 30, by deleting the number "8,939,925" and inserting in lieu thereof the number "**8,948,125**".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1112, Page 18, Section 12.400, Line 12, by striking the figure "226,100" as it appears on said line, and inserting in lieu thereof the figure "**100,615**"; and

Further amend said bill, Page 19, Section 12.405, Line 12, by striking the figure "1,083,950" as it appears on said line, and inserting in lieu thereof the figure "**482,358**".

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE CONCURRENT RESOLUTION

March 16, 2000

The Honorable Steve Gaw
Speaker of the House

Dear Mr. Gaw,

I respectfully request that **House Concurrent Resolution 26** be withdrawn immediately.

Thank you for your time and consideration.

Respectfully,

/s/ Jewell D. H. Patek

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, April 27, 2000.

COMMITTEE MEETINGS

CHILDREN, YOUTH AND FAMILIES

Thursday, April 27, 2000, 8:30 am. Hearing Room 4.

Continuation of Executive Session.

To be considered - SB 597

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, April 27, 2000, 8:00 am. Senate Committee Rooms 2 and 3.

To be considered - HB 1102, HB 1103, HB 1104, HB 1105, HB 1106, HB 1107, HB 1108, HB 1109, HB 1110, HB 1111

EDUCATION - HIGHER

Monday, May 1, 2000. Side gallery upon adjournment.

Executive Session.

To be considered - SB 1066

FISCAL REVIEW

Thursday, April 27, 2000, 8:30 am. Hearing Room 1. (Fiscal Note)

Executive Session.

To be considered - HB 1728, HB 1927

JOINT COMMITTEE ON CORRECTIONS

Monday, May 1, 2000, 1:00 pm. Hearing Room 5.

Proposed Scope of Services. (Mental Health and Medical)

PUBLIC HEALTH

Thursday, April 27, 2000, 9:30 am. Side gallery.

Executive Session.

PUBLIC SAFETY AND LAW ENFORCEMENT

Thursday, April 27, 2000, 9:30 am. Side gallery. Executive Session.

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, May 1, 2000, 8:00 pm. Hearing Room 6.

To be considered - SB 864, SB 1075

HOUSE CALENDAR

SIXTY-FIRST DAY, THURSDAY, APRIL 27, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 37

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45, HCA 1 - Scheve

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HCS HB 1888 - Wilson (42)
- 3 HB 2102 - Hampton
- 4 HB 1066, HCA 1 - Riback Wilson (25)
- 5 HB 1394 - Murray
- 6 HB 1159 - Boucher
- 7 HB 1280 - Clayton
- 8 HB 1502 - Smith

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- 9 HCS HB 1547 - Scheve
- 10 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 11 HB 1546 - Smith
- 12 HCS HB 1606 - Bray
- 13 HCS HB 1225 - Hosmer
- 14 HCS HB 1540 - Green
- 15 HCS HB 1942 - Liese
- 16 HCS HB 1578 - Shelton
- 17 HB 2056 - Gunn
- 18 HCS HB 1718 - Smith
- 19 HCS HB 1966 - Hosmer
- 20 HCS HB 1997 - Smith
- 21 HCS HB 1336 - Lakin
- 22 HCS HB 1780 - Liese
- 23 HCS HB 1816 - Hosmer
- 24 HCS HB 1357 - Bonner
- 25 HB 1872 - Seigfreid
- 26 HCS HB 1674 - Graham (24)
- 27 HCS HB 1154 - Boucher
- 28 HCS HB 2114 - Hoppe
- 29 HCS HB 1649 - Williams (121)
- 30 HB 1216 - Kelly (27)
- 31 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HCS HB 1932 - Harlan
- 5 HB 1712 - McKenna

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 29, (4-13-00, pg. 951) - Graham (24)
- 2 HCR 23, (3-16-00, pg. 646) - Bray
- 3 HCR 4, (2-24-00, pg. 399) - Kennedy
- 4 HCR 22, (4-17-00, pg. 970) - Liese
- 5 HCR 27, (4-13-00, pg. 951) - Ross
- 6 HCR 28, (4-11-00, pg. 916) - Van Zandt

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HB 1122 - Franklin

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1489, 1488 & 1650 - Kennedy
- 2 HS HCS HB 1811 - Kreider
- 3 HCS HB 1961 - Fraser

- 4 HS HCS HB 1927, (Fiscal Review 4-26-00) - Wiggins
- 5 HB 1768, E.C. - Ward
- 6 HS HB 1728, (Fiscal Review 4-26-00) - Backer

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HB 1946 - Dougherty

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 38

SENATE BILLS FOR THIRD READING

- 1 SB 810 - Gunn
- 2 HCS SCS SB 719 - Hoppe
- 3 HCS SS SB 813 - Kissell
- 4 HCS SCS SB 721 - Boucher
- 5 HCS SB 881 - Hoppe
- 6 HCS SB 856 - Harlan

SENATE BILL FOR THIRD READING - INFORMAL

HS HCS SS SB 549, as amended, E.C. - Van Zandt

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1112, as amended - Franklin

BILLS IN CONFERENCE

- 1 SCS HCS HB 1102, as amended - Franklin
- 2 SCS HCS HB 1103, as amended - Franklin
- 3 SCS HCS HB 1104 - Franklin
- 4 SCS HCS HB 1105, as amended - Franklin
- 5 SCS HCS HB 1106, as amended - Franklin
- 6 SCS HCS HB 1107, as amended - Franklin
- 7 SCS HCS HB 1108 - Franklin
- 8 SCS HCS HB 1109 - Franklin
- 9 SCS HCS HB 1110, as amended - Franklin
- 10 SCS HCS HB 1111, as amended - Franklin

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford

JOURNAL OF THE HOUSE

[CORRECTED]

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTY-FIRST DAY, THURSDAY, APRIL 27, 2000

Speaker Gaw in the Chair.

Prayer by Representative Barbara Fraser.

Look to this day, for it is life, the very life of life. In its brief course lie all the realities and verities of existence, the bliss of growth, the splendor of action, the glory of power.

For yesterday is but a dream, and tomorrow is only a vision, but today, well lived, makes every yesterday a dream of happiness and every tomorrow a vision of hope. Look well, therefore, to this day.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kristal Adams, Trevor Warnol, Michael Fuchs, Kyle Gielow, Meagan Welsh, Caitlin Waldo, Simeon Ward, Erica Hendrix, Austin Mehner, Chrissy Ulrich, Grant Hammack, Rebekah Hampton and Bonnie Croney.

Representative Kennedy assumed the Chair.

Speaker Pro Tem Kreider assumed the Chair.

The Journal of the sixtieth day was approved as corrected by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 004

Hanaway	Hosmer	Relford	Stokan
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VACANCIES: 001

SUPPLEMENTAL CALENDAR

April 27, 2000

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 1120 - Franklin

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 894 - Hoppe
- 2 HCS SB 944, (Fiscal Review, 4-27-00) - Smith
- 3 HCS SB 788 - Barry
- 4 HCS SCS SB 542 - Hoppe
- 5 HCS SB 896, E.C. (Fiscal Review, 4-27-00) - May (108)

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1285	-	Representative Luetkenhaus
House Resolution No. 1286	-	Representative Gross
House Resolution No. 1287	-	Representative Farnen
House Resolution No. 1288	-	Representative Gaw
House Resolution No. 1289	-	Representative Linton
House Resolution No. 1290	-	Representative Graham (106)
House Resolution No. 1291	-	Representative Treadway
House Resolution No. 1292	-	Representative Richardson
House Resolution No. 1293	-	Representative Lakin
House Resolution No. 1294	-	Representative Vogel
House Resolution No. 1295	-	Representative Thompson
House Resolution No. 1296	-	Representative O'Toole

House Resolution No. 1297
and
House Resolution No. 1298 - Representative Crawford
House Resolution No. 1299
and
House Resolution No. 1300 - Representative Hartzler (124)
House Resolution No. 1301 - Representative McBride
House Resolution No. 1302 - Representative Purgason
House Resolution No. 1303
through
House Resolution No. 1306 - Representative Relford

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 37 was read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 38 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1120** and **HS HB 2011**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HB 1728 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HB 1927 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HB 2011 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 721 - Fiscal Review (Fiscal Note)
HCS SS SB 813 - Fiscal Review (Fiscal Note)
HCS SB 896 - Fiscal Review (Fiscal Note)
HCS SB 944 - Fiscal Review (Fiscal Note)

Speaker Gaw resumed the Chair.

THIRD READING OF SENATE BILL - INFORMAL

HS HCS SS SB 549, as amended, relating to Tobacco Settlement Fund, was taken up by Representative Van Zandt.

On motion of Representative Van Zandt, **HS HCS SS SB 549, as amended**, was read the third time and passed by the following vote:

AYES: 094

Abel	Auer	Backer	Barnett	Barry 100
Berkowitz	Blunt	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	Gambaro	George	Gibbons
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hegeman	Hickey	Hilgemann
Hollingsworth	Hoppe	Kelly 27	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Levin	Liese	Luetkenhaus	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Ransdall
Reid	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 062

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Graham 106	Griesheimer	Gross	Hartzler 123
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Legan	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	Miller
Murphy	Myers	Nordwald	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 001

Naeger

ABSENT WITH LEAVE: 005

Hanaway Hartzler 124 Hosmer Relford Stokan

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 087

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hegeman
Hickey	Hilgemann	Hollingsworth	Hoppe	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Reid	Reinhart	Reynolds	Riley	Rizzo
Scheve	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 068

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hartzler 124	Hendrickson	Hohulin
Holand	Howerton	Kasten	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Franklin Hanaway Hosmer Relford Schilling
Stokan Williams 121

VACANCIES: 001

On motion of Representative Britt, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1120, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCS HB 1120** was read the third time and passed by the following vote:

AYES: 128

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bennett	Berkowitz
Berkstresser	Black	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Champion	Chrismer	Clayton	Crawford	Crump
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Froelker	Gambara
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Howerton	Kasten	Kelley 47	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Long	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Patek
Pouche 30	Ransdall	Reid	Reynolds	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Secrest	Seigfreid	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 025

Bartelsmeyer	Bartle	Blunt	Boatright	Cierpiot
Evans	Foster	Gaskill	Hohulin	Lograsso
Loudon	Luetkemeyer	Marble	Miller	Murphy
Phillips	Pryor	Purgason	Reinhart	Richardson
Ridgeway	Schwab	Scott	Selby	Wright

PRESENT: 001

Curls

ABSENT WITH LEAVE: 008

Hanaway	Hosmer	Kelly 27	Linton	Parker
Relford	Stokan	Tudor		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

HB 1122, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 1122** was read the third time and passed by the following vote:

AYES: 146

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Bartle	Bennett	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Ransdall	Reid
Reinhart	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 007

Bartelsmeyer	Hohulin	Loudon	Murphy	Pryor
Purgason	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Barry 100	Berkstresser	Cierpiot	Hanaway	Hosmer
Linton	Relford	Reynolds	Stokan	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hoppe, title to the bill was agreed to.

Representative Williams (159) moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1112, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1112, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Representative Scheve assumed the Chair.

Speaker Gaw resumed the Chair.

THIRD READING OF HOUSE BILLS

HS HCS HBs 1489, 1488 & 1650, relating to immunizations of school children, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **HS HCS HBs 1489, 1488 & 1650** was read the third time and passed by the following vote:

AYES: 091

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Black	Blunt	Boucher 48	Bray 84
Britt	Brooks	Burton	Champion	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Elliott	Farnen	Fitzwater	Foley
Ford	Fraser	Gambaro	George	Gibbons
Graham 106	Green	Griesheimer	Gunn	Hagan-Harrell
Hampton	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hoppe	Kelley 47	Kelly 27	Kennedy
King	Kissell	Koller	Kreider	Lawson
Liese	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Monaco	Murray
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Ransdall	Richardson	Riley

Rizzo	Sallee	Scheve	Schwab	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Tudor
Van Zandt	Ward	Wiggins	Williams 159	Wilson 42
Mr. Speaker				

NOES: 060

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Berkstresser	Boatright	Campbell	Chrismer	Cierpiot
Crawford	Dougherty	Enz	Evans	Foster
Franklin	Froelker	Gaskill	Gratz	Gross
Hartzler 123	Hartzler 124	Hohulin	Hollingsworth	Howerton
Klindt	Lakin	Leake	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McLuckie	Miller	Murphy	Myers
Nordwald	Phillips	Pouche 30	Pryor	Purgason
Reid	Reinhart	Ridgeway	Robirds	Ross
Schilling	Scott	Secrest	Summers	Townley
Vogel	Wagner	Williams 121	Wilson 25	Wright

PRESENT: 000

ABSENT WITH LEAVE: 011

Berkowitz	Bonner	Boykins	Graham 24	Hanaway
Harlan	Hosmer	Kasten	Relford	Reynolds
Stokan				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Ward, title to the bill was agreed to.

Representative Skaggs moved that the vote by which the bill passed be reconsidered.

Representative Seigfreid moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 1927, relating to water pollution, was taken up by Representative Wiggins.

On motion of Representative Wiggins, **HS HCS HB 1927** was read the third time and passed by the following vote:

AYES: 091

Abel	Auer	Backer	Barry 100	Black
Boucher 48	Bray 84	Britt	Brooks	Champion
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
Gaskill	George	Graham 24	Green	Griesheimer
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	O'Connor

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O'Toole	Overschmidt	Parker	Ransdall	Reid
Riley	Rizzo	Robirds	Scheve	Schilling
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 060

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Blunt	Boatright
Burton	Campbell	Chrismer	Cierpiot	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gibbons	Graham 106	Gratz	Gross	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Kasten
Kelley 47	King	Klindt	Legan	Levin
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Murphy	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Ridgeway	Ross	Sallee
Schwab	Scott	Secrest	Vogel	Wright

PRESENT: 001

Howerton

ABSENT WITH LEAVE: 010

Berkowitz	Bonner	Boykins	Hanaway	Hosmer
Linton	Relford	Reynolds	Stokan	Surface

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Shelton, title to the bill was agreed to.

Representative Boykins moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 1811, relating to Farmland Protection Act, was taken up by Representative Kreider.

On motion of Representative Kreider, **HS HCS HB 1811** was read the third time and passed by the following vote:

AYES: 144

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Boucher 48	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster

Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hoppe	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Berkowitz	Bonner	Boykins	Elliott	Franklin
Hanaway	Hohulin	Hollingsworth	Hosmer	Lawson
Linton	Ostmann	Parker	Relford	Reynolds
Sallee	Stokan	Surface		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Abel, title to the bill was agreed to.

Representative Gambaro moved that the vote by which the bill passed be reconsidered.

Representative Riley moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1961, relating to missing and stolen pets, was taken up by Representative Fraser.

On motion of Representative Fraser, **HCS HB 1961** was read the third time and passed by the following vote:

AYES: 099

Abel	Auer	Backer	Ballard	Barry 100
Black	Boucher 48	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Clayton	Crump
Davis 122	Davis 63	Days	Dolan	Dougherty
Evans	Fitzwater	Foley	Ford	Fraser
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hegeman	Hendrickson	Hickey

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Hilgemann	Hollingsworth	Hoppe	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Levin	Liese	Long	Loudon
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	O'Toole	Ostmann	Overschmidt
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Richardson	Riley	Rizzo	Scheve	Schilling
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Thompson	Treadway	Tudor
Van Zandt	Vogel	Wagner	Ward	Williams 121
Williams 159	Wilson 25	Wright	Mr. Speaker	

NOES: 047

Akin	Alter	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Boatright	Burton	Cierpiot
Crawford	Curls	Elliott	Enz	Farnen
Foster	Froelker	Green	Gross	Gunn
Hartzler 124	Hohulin	Holand	Howerton	Kasten
Kelley 47	Kelly 27	King	Legan	Lograsso
Luetkemeyer	Luetkenhaus	Marble	Nordwald	O'Connor
Phillips	Pryor	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Summers	Townley
Troupe	Wilson 42			

PRESENT: 001

Patek

ABSENT WITH LEAVE: 015

Berkowitz	Blunt	Bonner	Boykins	Franklin
Hanaway	Hosmer	Linton	Naeger	Parker
Relford	Reynolds	Stokan	Surface	Wiggins

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Kennedy moved that the vote by which the bill passed be reconsidered.

Representative Hilgemann moved that motion lay on the table.

The latter motion prevailed.

HB 1768, relating to county prosecutors, was taken up by Representative Ward.

On motion of Representative Ward, **HB 1768** was read the third time and passed by the following vote:

AYES: 141

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Black	Blunt	Boatright	Boucher 48	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Dougherty

Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 005

Bartelsmeyer	Berkstresser	Hohulin	Murphy	Pryor
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PRESENT: 000

ABSENT WITH LEAVE: 016

Berkowitz	Bonner	Boykins	Days	Franklin
Hanaway	Hosmer	Linton	Parker	Relford
Reynolds	Sallee	Stokan	Surface	Wiggins
Wright				

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 134

Abel	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bennett	Black	Blunt
Boatright	Boucher 48	Bray 84	Britt	Brooks
Burton	Campbell	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Purgason	Ransdall
Reid	Reinhart	Richardson	Ridgeway	Riley

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Rizzo	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 012

Akin	Bartelsmeyer	Bartle	Berkstresser	Hendrickson
Hohulin	King	Murphy	Nordwald	Pouche 30
Pryor	Robirds			

PRESENT: 000

ABSENT WITH LEAVE: 016

Berkowitz	Bonner	Boykins	Champion	Days
Franklin	Hanaway	Hosmer	Linton	Parker
Relford	Reynolds	Sallee	Stokan	Surface
Wiggins				

VACANCIES: 001

On motion of Representative Treadway, title to the bill was agreed to.

Representative Mays (50) moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

HS HB 1728, relating to state purchasing, was taken up by Representative Backer.

On motion of Representative Backer, **HS HB 1728** was read the third time and passed by the following vote:

AYES: 136

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Boucher 48	Bray 84	Britt	Brooks	Burton
Campbell	Chrismer	Cierpiot	Clayton	Crump
Curls	Davis 122	Davis 63	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Ridgeway	Riley	Rizzo

Robirds	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Thompson
Townley	Treadway	Tudor	Van Zandt	Vogel
Wagner	Ward	Williams 121	Williams 159	Wilson 25
Mr. Speaker				

NOES: 004

Crawford	Hohulin	Loudon	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 022

Berkowitz	Bonner	Boykins	Champion	Days
Dolan	Franklin	Hanaway	Hosmer	Klindt
Linton	Parker	Relford	Reynolds	Richardson
Sallee	Stokan	Surface	Troupe	Wiggins
Wilson 42	Wright			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Hagan-Harrell moved that the vote by which the bill passed be reconsidered.

Representative Shelton moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HB 1946, relating to adoption, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 1946** was read the third time and passed by the following vote:

AYES: 136

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkstresser	Black	Blunt	Boatright	Boucher 48
Bray 84	Britt	Brooks	Burton	Campbell
Chrismer	Cierpiot	Crawford	Crump	Curls
Davis 122	Davis 63	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hoppe	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50

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McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Thompson
Townley	Treadway	Tudor	Van Zandt	Vogel
Wagner	Ward	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 025

Ballard	Berkowitz	Bonner	Boykins	Champion
Clayton	Days	Franklin	Hanaway	Hollingsworth
Hosmer	Linton	Parker	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Schilling	Stokan
Surface	Troupe	Wiggins	Williams 121	Wright

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Van Zandt, title to the bill was agreed to.

Representative Wilson (42) moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1185**, entitled:

An act to authorize the conveyance of certain state property to the City of Jefferson and the Optimist Club Foundation of Mexico Missouri, Inc.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1186**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1376**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the

Senate has taken up and passed **SS SCS SB 926**, entitled:

An act to repeal sections 163.011, 163.031 and 163.036, RSMo Supp. 1999, relating to state school aid to school districts, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause for a certain section.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 959 & 598**, entitled:

An act to repeal sections 197.405, 197.410, 197.420, 197.425, 197.430, 197.435, 197.440, 197.450, 197.455, 197.460, 197.470, 197.477, 660.250, 660.260 and 660.300, RSMo 1994, and sections 197.400, 197.415 and 197.445, RSMo Supp. 1999, relating to in-home care for the elderly, and to enact in lieu thereof twenty-two new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 538 & 565**, entitled:

An act to repeal sections 32.055, 32.090 and 32.091, RSMo Supp. 1999, and section 32.080 as enacted by house bill no. 795, first regular session, 90th General Assembly and section 32.080 as enacted by senate bill no. 19, first regular session, 90th General Assembly, relating to motor vehicle records and electronic dissemination, and to enact in lieu thereof four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 885**, entitled:

An act to repeal sections 103.085 and 103.136, RSMo 1994, and sections 103.003 and 103.008, RSMo Supp. 1999, relating to health plan for state employees, and to enact in lieu thereof six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1112, as amended**, and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 1112: Representatives Franklin, Green, Lakin, Legan and Burton

MESSAGE FROM THE SENATE

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HCS HB 1112, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 35 - Miscellaneous Bills and Resolutions

HCR 36 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 74 - Critical Issues

HJR 75 - Public Safety and Law Enforcement

HJR 76 - Public Safety and Law Enforcement

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 2156 - Civil and Administrative Law

HB 2158 - Motor Vehicle and Traffic Regulations

HB 2159 - Retirement

HB 2160 - Consumer Protection and Housing

HB 2161 - Local Government and Related Matters

HB 2162 - Public Safety and Law Enforcement

HB 2163 - Education - Elementary and Secondary

HB 2164 - Elections

HB 2165 - Correctional and State Institutions

HB 2166 - Correctional and State Institutions

HB 2167 - Transportation

HB 2168 - Public Safety and Law Enforcement

HB 2169 - Criminal Law

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCR 22 - Transportation

SCR 29 - Ways and Means

SCR 35 - Transportation

SCR 36 - Social Services, Medicaid and the Elderly
SCR 37 - Agri-Business
SCR 38 - Local Government and Related Matters
SCR 39 - Miscellaneous Bills and Resolutions

REFERRAL OF SENATE JOINT RESOLUTIONS

The following Senate Joint Resolutions were referred to the Committee indicated:

SS SS#3 SJR 35 - Fiscal Review
SJR 50 - Miscellaneous Bills and Resolutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 793 - Transportation
SB 830 - Criminal Law
SB 851 - Education - Elementary and Secondary
SB 892 - Correctional and State Institutions
SCS SB 954 - Tourism, Recreation and Cultural Affairs
SB 956 - Ways and Means
SB 1017 - Transportation
SCS SBs 1027 & 815 - Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Environment and Energy, Chairman Wiggins reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No 12

WHEREAS, through recent legislation, the General Assembly has contributed to the state's efforts to comply with the requirements of the federal Clean Air Act; and

WHEREAS, with approximately fifty percent of Missouri's major roads ranked poor or mediocre according to data from the Federal Highway Administration, the deterioration of Missouri's highways has taken a toll on human lives with poor road conditions considered a factor in an estimated thirty percent of all traffic fatalities in this state; and

WHEREAS, adequate highways are needed to ensure safe transport for the driving and riding public and for delivery of the agricultural commodities and industrial products which promote jobs and economic growth; and

WHEREAS, the San Francisco Sierra Club, in conjunction with its Ozark Chapter, and the Missouri Coalition for the Environment have filed a suit against the Environmental Protection Agency (EPA) which would force a false

choice between clean air and safe highways by requiring the EPA to impose sanctions and reduce federal highway improvement funding to Missouri by as much as six hundred million dollars annually:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the Sierra Club and the Missouri Coalition for the Environment to withdraw their lawsuit and work with other groups to achieve clean air in Missouri; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Ozark Chapter of the Sierra Club and the Missouri Coalition for the Environment.

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SS SCS SB 577**, begs leave to report it has examined the same and recommends that the **House Committee Substistute Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1742**, entitled:

An act to repeal sections 226.133 and 226.134, RSMo 1994, relating to bonding for transportation, and to enact in lieu thereof three new sections relating to the same subject.

With Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 1.1, Line 7, by adding at the end thereof, the following:

“The provisions of this section shall not apply to projects or contracts approved or ordered by an administrative law judge for the State of Missouri.”.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 1, Line 9, by deleting the following on said line: **“and approve”**; and

Further amend said bill, Line 11, by deleting the following: **“does not approve”** and replace in lieu thereof the following: **“makes revisions”**.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 226.134, Line 4, by inserting after all of said line the following:

“226.781. The portion of interstate highway 55, one mile south of Lindbergh Boulevard to Butler Hill Road, contained within a county of the first classification with a charter form of government having a population over nine hundred thousand which may be eligible to receive moneys from bonds issued under this act, shall be

designated the “Rosa Parks Highway”.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, Page 3, Section 226.134, Line 4, by inserting after all of said line the following:

“226.783. The portion of interstate highway 44, from the highway 65 exit on the east side of a city having a population of at least one hundred forty-nine thousand, located in a noncharter county of the first classification with a population of at least two hundred seven thousand and which may be eligible to receive moneys from bonds issued under this act, to the highway 160 exit on the west side of a city having a population of at least one hundred forty-nine thousand, located in a noncharter county of the first classification with a population of at least two hundred seven thousand, shall be designated the “Payne Stewart Highway”.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 2:00 p.m., Monday, May 1, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixtieth Day, Wednesday, April 26, 2000, pages 1095 and 1096, roll call, by showing Representative Gross voting "no" rather than "absent with leave".

Correct House Journal, Fifty-eighth Day, Thursday, April 20, 2000, page 1050, by inserting immediately after line 13 the following:

House Resolution No. 1163

WHEREAS, the provisions of section 21.155, RSMo, sets forth that the House of Representatives may by resolution continue in employment such number of employees after adjournment as may be necessary for operation during the interim period; and

WHEREAS, the House of Representatives will have need for (a) secretarial, (b) administrative and (c) research, budget and support staff after adjournment on May 12, 2000; and

WHEREAS, employees of the House of Representatives are designated and funded in House Bill No. 1112, including those employees who may be needed for veto or extra special sessions of the House:

NOW, THEREFORE, BE IT RESOLVED that the Committee on Accounts, Operations and Finance of the House of Representatives may employ for the period between May 12, 2000, and January 3, 2001, such employees as are authorized in the appropriations of the House of Representatives and as are deemed necessary by the Accounts, Operations and Finance Committee. Such employees shall include necessary secretarial, administrative, research, budget and support staff personnel not to exceed that authorized pursuant to the appropriation bill authorizing funding

for the General Assembly.

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, May 2, 2000, 8:00 am. Hearing Room 3.

Gary Stangler, Director.

Department of Social Services, Division of Family Services. CTS Funds.

CHILDREN, YOUTH AND FAMILIES

Monday, May 1, 2000, 1:00 pm. Hearing Room 4.

Continuation of Executive Session.

To be considered - SB 597

CONFERENCE COMMITTEE - APPROPRIATIONS

Monday, May 1, 2000, 10:00 am. Senate Committee Rooms 2 and 3.

To be considered - HB 1102, HB 1103, HB 1104, HB 1105, HB 1106, HB 1107, HB 1108, HB 1109, HB 1110, HB 1111, HB 1112

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, May 2, 2000, 9:00 am. Hearing Room 5.

Executive Session may follow.

To be considered - SB 892

CRIMINAL LAW

Monday, May 1, 2000. Hearing Room 7 upon evening adjournment.

Executive Session. AMENDED.

To be considered - SB 830

EDUCATION - HIGHER

Monday, May 1, 2000. Side gallery upon adjournment.

Executive Session.

To be considered - SB 1066

FISCAL REVIEW

Tuesday, May 2, 2000, 8:30 am. Hearing Room 4.

Executive Session. (Fiscal Note). AMENDED

To be considered - HB 2011, SB 721, SB 813, SB 896, SB 944, SJR 35

JOINT COMMITTEE ON CORRECTIONS

Monday, May 1, 2000, 1:00 pm. Hearing Room 5.

Proposed Scope of Services. (Mental Health and Medical)

JUDICIARY

Tuesday, May 2, 2000, 9:00 am. Hearing Room 1.

Executive Session.

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, May 2, 2000, 8:30 am. Hearing Room 6.

Executive Session.

To be considered - SB 763

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, May 1, 2000. Hearing Room 5 upon adjournment.

Executive Session may follow.

To be considered - SB 954

WAYS AND MEANS

Tuesday, May 2, 2000, 1:00 pm. Hearing Room 6.

Executive Session to follow.

To be considered - SB 956, SCR 29

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, May 1, 2000, 8:00 pm. Hearing Room 6.

To be considered - SB 864, SB 1075

HOUSE CALENDAR

SIXTY-SECOND DAY, MONDAY, MAY 1, 2000

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45, HCA 1 - Scheve

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HCS HB 1888 - Wilson (42)
- 3 HB 2102 - Hampton
- 4 HB 1066, HCA 1 - Riback Wilson (25)
- 5 HB 1394 - Murray
- 6 HB 1159 - Boucher
- 7 HB 1280 - Clayton
- 8 HB 1502 - Smith
- 9 HCS HB 1547 - Scheve
- 10 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 11 HB 1546 - Smith
- 12 HCS HB 1606 - Bray
- 13 HCS HB 1225 - Hosmer
- 14 HCS HB 1540 - Green
- 15 HCS HB 1942 - Liese
- 16 HCS HB 1578 - Shelton

- 17 HB 2056 - Gunn
- 18 HCS HB 1718 - Smith
- 19 HCS HB 1966 - Hosmer
- 20 HCS HB 1997 - Smith
- 21 HCS HB 1336 - Lakin
- 22 HCS HB 1780 - Liese
- 23 HCS HB 1816 - Hosmer
- 24 HCS HB 1357 - Bonner
- 25 HB 1872 - Seigfreid
- 26 HCS HB 1674 - Graham (24)
- 27 HCS HB 1154 - Boucher
- 28 HCS HB 2114 - Hoppe
- 29 HCS HB 1649 - Williams (121)
- 30 HB 1216 - Kelly (27)
- 31 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HCS HB 1932 - Harlan
- 5 HB 1712 - McKenna

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 29, (4-13-00, pg. 951) - Graham (24)
- 2 HCR 23, (3-16-00, pg. 646) - Bray
- 3 HCR 4, (2-24-00, pg. 399) - Kennedy
- 4 HCR 22, (4-17-00, pg. 970) - Liese
- 5 HCR 27, (4-13-00, pg. 951) - Ross
- 6 HCR 28, (4-11-00, pg. 916) - Van Zandt

HOUSE BILL FOR THIRD READING

HS HB 2011, (Fiscal Review, 4-27-00) - Overschmidt

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE BILLS FOR SECOND READING

- 1 SCS SB 538 & 565

- 2 SS SCS SB 885
- 3 SS SCS SB 926
- 4 SCS SB 959 & 598

SENATE BILLS FOR THIRD READING

- 1 SB 810 - Gunn
- 2 HCS SCS SB 719 - Hoppe
- 3 HCS SS SB 813, (Fiscal Review, 4-27-00) - Kissell
- 4 HCS SCS SB 721, (Fiscal Review, 4-27-00) - Boucher
- 5 HCS SB 881 - Hoppe
- 6 HCS SB 856 - Harlan
- 7 HCS SCS SB 894 - Hoppe
- 8 HCS SB 944, (Fiscal Review, 4-27-00) - Smith
- 9 HCS SB 788 - Barry
- 10 HCS SCS SB 542 - Hoppe
- 11 HCS SB 896, E.C. (Fiscal Review, 4-27-00) - May (108)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 1185 - Gratz
- 2 SCS HS HCS HB 1742, as amended - Koller

BILLS IN CONFERENCE

- 1 SCS HCS HB 1102, as amended - Franklin
- 2 SCS HCS HB 1103, as amended - Franklin
- 3 SCS HCS HB 1104 - Franklin
- 4 SCS HCS HB 1105, as amended - Franklin
- 5 SCS HCS HB 1106, as amended - Franklin
- 6 SCS HCS HB 1107, as amended - Franklin
- 7 SCS HCS HB 1108 - Franklin
- 8 SCS HCS HB 1109 - Franklin
- 9 SCS HCS HB 1110, as amended - Franklin
- 10 SCS HCS HB 1111, as amended - Franklin
- 11 SCS HCS HB 1112, as amended - Franklin

HOUSE RESOLUTIONS

- 1 HR 91, (2-24-00, pgs. 397 & 398) - Crawford
- 2 HR 1163, (4-27-00) - Skaggs

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTY-SECOND DAY, MONDAY, MAY 1, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Compassionate God, search the minds and hearts of our Representatives today. Replace any hesitation with decisiveness, despair with hope, fatigue with vigor. Sharpen our intelligence and Your wisdom. Fill that wisdom with Your insight. As this session begins in Your shadow, let it find its goal in Your light. Bless this House, faithful God, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Windsor Esther, Maddy Esther, Joseph Esther and Eliza Esther.

The Journal of the sixty-first day was approved as corrected by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30

1130 *Journal of the House*

Purgason	Reinhart	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 001

Reid

ABSENT WITH LEAVE: 004

Blunt	Hartzler 123	Pryor	Stokan
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1307	-	Representative Murray
House Resolution No. 1308		
through		
House Resolution No. 1321	-	Representative Levin
House Resolution No. 1322	-	Representative Murray
House Resolution No. 1323		
through		
House Resolution No. 1327	-	Representative Britt
House Resolution No. 1328	-	Representatives Fraser, Bray and Thompson
House Resolution No. 1329		
through		
House Resolution No. 1332	-	Representative Kreider
House Resolution No. 1333		
and		
House Resolution No. 1334	-	Representative Britt
House Resolution No. 1335	-	Representative Secrest
House Resolution No. 1336		
through		
House Resolution No. 1339	-	Representative Lograsso
House Resolution No. 1340		
through		
House Resolution No. 1350	-	Representative McClelland
House Resolution No. 1351	-	Representative Boucher
House Resolution No. 1352		
through		
House Resolution No. 1354	-	Representative Schwab
House Resolution No. 1355		
through		
House Resolution No. 1359	-	Representative Ward
House Resolution No. 1360		
through		
House Resolution No. 1364	-	Representative Kelley (47)
House Resolution No. 1365	-	Representatives Gaskill and Bartelsmeyer

House Resolution No. 1366 - Representative Hegeman
House Resolution No. 1367
and
House Resolution No. 1368 - Representative Abel
House Resolution No. 1369
through
House Resolution No. 1372 - Representative Williams (121)

SECOND READING OF SENATE BILLS

SCS SBs 538 & 565, SS SCS SB 885, SS SCS SB 926 and SCS SBs 959 & 598 were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1888, relating to loan repayment assistance for teachers, was taken up by Representative Wilson (42).

Representative Wilson (42) offered **HS HCS HB 1888**.

Representative Shields raised a point of order that **HS HCS HB 1888** is not a true substitute.

The Chair ruled the point of order not well taken.

Representative McClelland offered **House Amendment No. 1**.

Representative Monaco raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Kissell offered **House Amendment No. 1**.

Representative Monaco raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Relford offered **House Amendment No. 1**.

Representative Monaco raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Wilson (42), **HS HCS HB 1888** was adopted.

On motion of Representative Wilson (42), **HS HCS HB 1888** was ordered perfected and printed.

HB 1159, relating to income tax on public pensions, was taken up by Representative Boucher.

Representative Gibbons offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1159, Page 2, Section 143.121, Line 46, by deleting the words “and university employees” and inserting in lieu thereof the following:

“, university employees and any other employee with a retirement allowance received from any privately funded sources.”; and

Further amend said bill, Page 4, Section 143.124, Lines 56-61, by deleting all of said lines.

Representative Marble offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Bill No. 1159, Page 2, Section 143.121, Lines 44-46, by deleting all of said lines and inserting in lieu thereof the words “**provided to the taxpayer.**”; and

Further amend said bill, Page 4, Section 143.124, Lines 56-61, by deleting all of said lines.

On motion of Representative Marble, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 148

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hampton	Hanaway	Hartzler 124	Hegeman	Hickey
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	McBride
McClelland	McKenna	McLuckie	Merideth	Miller

Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Ross	Sallee	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	Skaggs
Smith	Summers	Surface	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 009

Berkstresser	Bray 84	Hartzler 123	Hilgemann	Mays 50
Robirds	Schilling	Shelton	Townley	

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 004

Auer	Hagan-Harrell	Harlan	Stokan
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VACANCIES: 001

Representative Riback Wilson (25) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 1159, Page 5, Section 143.124, Line 90, by inserting after all of said line the following:

"Section 1. 1. For all taxable years beginning on or after January 1, 2001, a resident individual who is allowed a federal earned income tax credit pursuant to section 32 of the Internal Revenue Code shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to two and one-half percent of the allowable federal earned income tax credit. The tax credit allowed by this section shall be claimed by such individual at the time such individual files a return and shall be applied against the income tax liability imposed by chapter 143, RSMo. Where the amount of the credit exceeds the tax liability, the difference shall be refunded to the taxpayer or carried forward into any subsequent taxable year.

2. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

3. Notwithstanding the provision of subsection 4 of section 32.057, RSMo, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to subsection 1 of this section may qualify for the credit, and shall notify any qualified claimant of his or her potential eligibility, where the department determines such potential eligibility exists.

4. Any tax credit allowed pursuant to this section shall be excluded from the calculation of Missouri adjusted gross income as defined in section 143.121, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gibbons raised a point of order that **House Amendment No. 2** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Gross offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 1159, Page 1, Section 1, Line 4 of said section, by inserting after the word "a" the word "**nonrefundable**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gross moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Riback Wilson (25), **House Amendment No. 2** was adopted by the following vote:

AYES: 149

Abel	Akin	Backer	Barnett	Barry 100
Bartelsmeyer	Bartle	Bennett	Berkowitz	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 009

Alter	Ballard	Berkstresser	Boatright	Hohulin
Marble	Phillips	Robirds	Townley	

PRESENT: 000

ABSENT WITH LEAVE: 004

Auer Black Lograsso Stokan

VACANCIES: 001

Representative Kelly (27) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 1159, Page 1, Section A, Line 3, by inserting after all of said line the following:

"143.114. 1. For all taxable years beginning on or after January 1, 2001, but before January 1, 2006, there shall be subtracted from an individual's Missouri adjusted gross income an amount equal to the lesser of two thousand dollars or one hundred percent of the amount paid by such individual during his or her taxable year for documented health insurance premiums and out-of-pocket medical costs to the extent such amount is included in the individual's federal adjusted gross income and to the extent such amount is not otherwise deducted therefrom pursuant to any other law and is not reimbursed by any source. For purposes of this section, "out-of-pocket medical costs" are those medical expenses deductible pursuant to section 213 of the Internal Revenue Code and rulings interpreting section 213 of the Internal Revenue Code. The deduction allowed pursuant to this section shall not be refundable.

2. The deduction provided in this section shall be available to an individual whether such individual elects to itemize his or her deductions or elects to deduct the Missouri standard deduction. A married individual filing a Missouri income tax return separately from his or her spouse shall be allowed to make a deduction pursuant to this section in an amount equal to the proportion of such individual's payment of health insurance premiums and out-of-pocket medical expenses.

3. The director of the department of revenue shall place a line on all Missouri individual income tax returns for the deduction created by this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 3** was adopted.

Representative Scheve offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 1159, Page 1, Section A, Line 3, by inserting after all of said line the following:

"135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit [under] pursuant to sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would

have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) "Disabled", the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) "Gross rent", amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he **or she** shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) "Homestead", the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

(5) "Income", Missouri adjusted gross income as defined in section 143.121, RSMo, less two thousand dollars as an exemption for the claimant's spouse residing at the same address, **and less any social security, railroad retirement and public school retirement system benefits otherwise included in Missouri adjusted gross income**, and increased, where necessary, to reflect the following:

(a) [Social Security, railroad retirement, and] Veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

(6) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;

(7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Scheve, **House Amendment No. 4** was adopted.

Representative Hanaway offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Bill No. 1159, Page 5, Section B, Line 2, by inserting after said line the following:

“137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable real property in the county owned by the person, or under his or her care, charge or management, and all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county of the first classification with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this paragraph, the word "comparable" means that:

- (a) Such sale was closed at a date relevant to the property valuation; and
- (b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percents of their true value in money:

- (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;
- (2) Livestock, twelve percent;
- (3) Farm machinery, twelve percent;
- (4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;
- (5) Poultry, twelve percent; and
- (6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

- (1) For real property in subclass (1), nineteen percent;
- (2) For real property in subclass (2), twelve percent; and
- (3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. If the assessor increases the assessed valuation of any parcel of subclass (1) real property by more than seventeen percent since the last assessment, excluding increases due to new construction or improvements, then the assessor shall conduct a physical inspection of such property.

11. A homestead exemption pursuant to article X, section 6(a) of the Missouri Constitution shall be allowed for certain real property pursuant to this subsection.

- (1) **The assessed value of real property satisfying the following criteria shall not be increased by the**

annual assessments made of real property by the assessor:

(a) The real property is owned by a person eighty years of age or older, or jointly owned by at least one person eighty years of age or older and other persons all of whom are sixty-five years of age or older; and

(b) The real property is used by the owner as the owner's principal residence and has been used as such for the preceding five years, or when jointly owned the property is used by all joint owners as their principal residence and has been used as such by all joint owners for the preceding five years;

(2) The exemption shall be for that portion of the assessed valuation of the homestead which exceeds the assessed valuation of the homestead in the year the owner reaches eighty years of age or on the effective date of this section, whichever is later;

(3) An eligible property owner may file for such an exemption with the county clerk on a form provided by the state tax commission by June first of the year preceding the first year for which the exemption is to be made. The property owner filing the form shall sign such form attesting to the truth of the information provided by such owner. If the property for which the homestead exemption is sought has joint owners, then any such joint owner may file for the exemption. When any joint owner has elected to file for an exemption all other joint owners shall be bound by such election and the other joint owners shall not subsequently be eligible to file for an exemption for the jointly owned property. No provisions of this section shall be construed to deny the granting of an exemption to property owned by married joint owners when only one of such owners is eligible for the exemption. The applicant shall state on the request that all requirements of subdivision (1) of this subsection are satisfied. The applicant shall file a copy of the person's birth certificate with the county clerk to establish eligibility for the exemption. The applicant shall also file as part of the request a copy of the applicant's most recent Missouri income tax return. The applicant shall sign such request attesting to the truth of the information provided. Once an exemption has been granted, the property owners who filed for the exemption shall not be required to refile for any succeeding year and the property shall remain exempted unless or until the property has a new owner or pursuant to subdivision (6) of this subsection;

(4) The county clerk shall verify from the birth certificate and form that the applicant is eligible for such exemption, and if the applicant is so eligible, the county clerk shall notify the county assessor, county collector and the state tax commission. In addition, the county clerk shall annually deliver to each political subdivision or other taxing jurisdiction which has levied ad valorem property taxes on the properties for which exemptions are granted pursuant to this section a listing of each parcel of real property for which the exemptions are granted;

(5) Any exemption granted pursuant to this subsection shall have no effect on the tax levied for the blind pension fund, pursuant to section 38(b) of article III of the Missouri Constitution, on the property for which the exemption is granted. The tax, however, shall not be collected from the person granted the exemption but a payment in lieu of such tax shall be made by the county within which such property lies. The county shall be reimbursed pursuant to subdivision (5) of this subsection for any revenues lost due to this subdivision;

(6) Pursuant to the requirements of sections 6(a) and 16 of article X of the Missouri Constitution, any taxing jurisdiction or political subdivision shall recover the loss of revenue caused by this subsection from the state. The state tax commission shall certify to the commissioner of administration to issue vouchers to any such taxing jurisdiction or political subdivision upon the availability of appropriations. Each calendar year beginning in 2001 the state tax commission shall estimate the total loss of revenue to all taxing jurisdictions and political subdivisions in the next succeeding year resulting from the homestead exemptions granted in the current year. The state tax commission shall report such estimate to the general assembly before February first of every year. If the general assembly determines there will be insufficient total state revenues, as defined by section 17 of article X of the Missouri Constitution, for the taxing jurisdictions and political subdivisions of the state to recover the estimated loss of revenue caused by the homestead exemption the general assembly may declare that there will be no homestead exemption for the succeeding year.

Section B. Section 137.115 of this act shall become effective on January 1, 2002.”; and

Further amend the title and enacting clause accordingly.

Representative Monaco raised a point of order that **House Amendment No. 5** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Monaco assumed the Chair.

Representative Gunn offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Bill No. 1159, Page 6, Section 137.115, Line 22, by deleting the number “**eighty**” and inserting in lieu thereof the number “**sixty-five**”; and

Further amend said page, Line 23, by deleting the number “**eighty**” and inserting in lieu thereof the number “**sixty-five**”.

On motion of Representative Gunn, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Hanaway, **House Amendment No. 5, as amended**, was adopted.

Representative Levin offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Bill No. 1159, Page 2, Section 143.121, Line 46, by inserting after said line the following:

“(h) **The amount of any social security benefits included in federal adjusted gross income pursuant to section 86 of the Internal Revenue Code.**”.

On motion of Representative Levin, **House Amendment No. 6** was adopted by the following vote:

AYES: 152

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambara	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy

Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Bray 84 Schilling Skaggs

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 006

Auer	Gaskill	Harlan	Lograsso	Pryor
Stokan				

VACANCIES: 001

Representative Hartzler (124) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Bill No. 1159, Page 5, Section 143.124, Line 90, by inserting after said line the following:

“135.918. This section shall be known and may be cited as the “Missouri Agriculture Investment Tax Credit Act”. For tax years beginning on or after January 1, 2000, but before December 31, 2004, an individual taxpayer who qualifies as a farmer pursuant to Section 6654 (i) (2) of Title 26 of the Internal Revenue Code or a corporate taxpayer who qualifies as a farming corporation pursuant to chapter 350, RSMo, shall be allowed to claim a nonrefundable credit against the tax otherwise due pursuant to chapter 143, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions, in an amount equal to ten percent of the cost of any item which is allowable as an expensing election pursuant to Section 179 of the Internal Revenue Code for the same tax year. The tax credit allowed pursuant to this section shall not exceed five thousand dollars. An eligible taxpayer shall claim the credit allowed by this section at the time such taxpayer files a return; provided that, a taxpayer who fails to timely file such taxpayer’s return, including extensions, shall not be eligible for a credit pursuant to this section. Any amount of credit that exceeds the tax due for a taxpayer’s tax year may be carried back to any of the taxpayer’s three prior tax years or carried forward to any of the taxpayer’s five subsequent tax years. The department of revenue is authorized to adopt any rules or regulations deemed necessary for the effective administration of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.”; and

Further amend the title and enacting clause accordingly.

Representative Boucher raised a point of order that **House Amendment No. 7** is not germane and goes beyond the scope of the bill.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Hartzler (124), **House Amendment No. 7** was adopted.

On motion of Representative Boucher, **HB 1159, as amended**, was ordered perfected and printed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HS HCS HB 1742, as amended, relating to transportation bonds, was taken up by Representative Koller.

Representative Koller moved that the House refuse to adopt **SCS HS HCS HB 1742, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 1185, relating to conveyance in Jefferson City, was taken up by Representative Gratz.

On motion of Representative Gratz, **SCS HB 1185** was adopted by the following vote:

AYES: 156

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Hagan-Harrell	Hohulin	Pouche 30	Sallee
Stokan				

VACANCIES: 001

On motion of Representative Gratz, **SCS HB 1185** was truly agreed to and finally passed by the following vote:

AYES: 159

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Pouche 30	Sallee	Stokan
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VACANCIES: 001

Representative Monaco declared the bill passed.

On motion of Representative Days, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Shelton moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

SB 810, relating to federal reimbursement allowance, was taken up by Representative Gunn.

On motion of Representative Gunn, **SB 810** was truly agreed to and finally passed by the following vote:

AYES: 160

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 001

Stokan

VACANCIES: 001

Representative Monaco declared the bill passed.

On motion of Representative George, title to the bill was agreed to.

Representative Murray moved that the vote by which the bill passed be reconsidered.

Representative Troupe moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 29, relating to nuclear waste, was taken up by Representative Graham (24).

Representative Lograsso offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Concurrent Resolution No. 29, by adding the following between the fifth and sixth whereas clauses:

“WHEREAS, the junior United States Senator from Missouri has asked the United States Department of Energy to reconsider its decision to route nuclear waste through Missouri on I-70; and”.

On motion of Representative Lograsso, **House Amendment No. 1** was adopted.

On motion of Representative Graham (24), **HCR 29, as amended**, was read the third time and passed by the following vote:

AYES: 158

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Graham 106 Hohulin Kelley 47 Stokan

VACANCIES: 001

Representative Monaco declared the bill passed.

On motion of Representative Barry, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

HCR 4, relating to an interim committee to study an eye disease called macular degeneration, was taken up by Representative Kennedy.

On motion of Representative Kennedy, **HCR 4** was read the third time and passed by the following vote:

AYES: 158

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Hendrickson

PRESENT: 000

ABSENT WITH LEAVE: 003

Graham 106 Kelley 47 Stokan

VACANCIES: 001

Representative Monaco declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Britt moved that the vote by which the bill passed be reconsidered.

Representative Curls moved that motion lay on the table.

The latter motion prevailed.

HCR 22, relating to lottery commission plan, was taken up by Representative Liese.

Representative Froelker offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Concurrent Resolution No. 22, Paragraph 7, by deleting the words “pre-October 21” and inserting in lieu thereof “pre-October 22”.

On motion of Representative Froelker, **House Amendment No. 1** was adopted.

On motion of Representative Liese, **HCR 22, as amended**, was read the third time and passed by the following vote:

AYES: 158

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50

McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Hohulin	Kelley 47	Lograsso	Stokan
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VACANCIES: 001

Representative Monaco declared the bill passed.

On motion of Representative Clayton, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Gambaro moved that motion lay on the table.

The latter motion prevailed.

HCR 27, relating to military retirees, was taken up by Representative Ross.

On motion of Representative Ross, **HCR 27** was read the third time and passed by the following vote:

AYES: 158

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie

Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barry 100 Kelley 47 Murphy Stokan

VACANCIES: 001

Representative Monaco declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Selby moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

HCS SCS SB 719, relating to metropolitan cultural district, was taken up by Representative Hoppe.

Representative Pouche offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 4, Section 70.500, Lines 106-107, by deleting both of said lines and inserting in lieu thereof the following:

“Or at an election called and held on the first Tuesday in April, except that no question dealing with authorizing the levy of a tax which has been defeated by the electors shall be resubmitted to the electors within two years of the initial vote.”.

Speaker Pro Tem Kreider resumed the Chair.

Representative Pouche moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Hoppe, **HCS SCS SB 719** was adopted.

On motion of Representative Hoppe, **HCS SCS SB 719** was read the third time and passed by the following vote:

AYES: 111

Abel	Auer	Backer	Barnett	Barry 100
Bartle	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Bray 84	Britt	Campbell
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	George	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hegeman	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kasten	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Levin
Liese	Luetkemeyer	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Myers	O'Connor	O'Toole
Overschmidt	Parker	Patek	Pouche 30	Ransdall
Reinhart	Relford	Reynolds	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Scott
Selby	Shelton	Shields	Skaggs	Smith
Summers	Thompson	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 041

Akin	Alter	Ballard	Bartelsmeyer	Bennett
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Enz	Evans	Foster	Gaskill
Gibbons	Gross	Hanaway	Hartzler 124	Hendrickson
Hohulin	Holand	Howerton	Legan	Linton
Lograsso	Loudon	Marble	Miller	Murphy
Naeger	Nordwald	Ostmann	Phillips	Pryor
Purgason	Ridgeway	Schwab	Secrest	Surface
Townley				

PRESENT: 005

Boykins	Brooks	Reid	Riley	Seigfreid
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ABSENT WITH LEAVE: 005

Elliott	Kelley 47	Long	Richardson	Stokan
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VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative McKenna, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

HCS SB 881, relating to mass transportation fund, was taken up by Representative Hoppe.

Representative Relford offered **House Amendment No. 1**.

Representative Lograsso raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hoppe offered **HS HCS SB 881**.

Representative Hoppe offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 881, Page 7, Section 238.060, Line 12 of said page, by deleting the word "if" and inserting in lieu thereof the word "of".

On motion of Representative Hoppe, **House Amendment No. 1** was adopted.

Representative Auer offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 881, Last Page, Section 92.418, by inserting after all of said line the following:

"94.655. [1.] In those cities in which the transportation sales tax has been submitted to and approved by the voters or by a majority vote of the governing body of any such city without submission of the issue to the voters, the transportation sales tax shall remain in effect until repealed by local ordinance in those cities.

[2. The provisions of sections 94.600 to 94.655 shall expire on December 31, 2001.]" ; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Auer, **House Amendment No. 2** was adopted.

Representative Pouche offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 881, Page 6, Section 238.060, Line 24, by deleting the words "submit a panel of three persons who are residents" and inserting in lieu thereof the following:

"appoint a successor who shall be a resident"; and

Further amend said bill, Section 238.060, Page 7, Lines 5-8, by deleting all of said lines and inserting in lieu thereof the following:

“fiscal year, selected by a majority vote of the commission.”.

Representative Pouche moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Speaker Gaw assumed the Chair.

On motion of Representative Hoppe, **HS HCS SB 881, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS SB 881, as amended**, was read the third time and passed by the following vote:

AYES: 117

Abel	Auer	Backer	Barnett	Barry 100
Bartle	Bennett	Berkowitz	Berkstresser	Black
Blunt	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hegeman	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelly 27	Kennedy	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Levin	Liese	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Ransdall	Reinhart	Relford	Reynolds	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 039

Akin	Alter	Ballard	Bartelsmeyer	Boatright
Burton	Cierpiot	Crawford	Enz	Evans
Foster	Gross	Hanaway	Hartzler 124	Hendrickson
Hohulin	Holand	King	Legan	Linton
Lograsso	Loudon	Luetkemeyer	Marble	Miller
Murphy	Myers	Phillips	Pouche 30	Pryor
Purgason	Reid	Ridgeway	Scott	Secrest
Summers	Surface	Townley	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Elliott	Gibbons	Kelley 47	Long	Richardson
Stokan				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Shelton, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Fraser moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Kreider resumed the Chair.

HOUSE RESOLUTIONS

HR 91, relating to use of Chamber, was taken up by Representative Crawford.

On motion of Representative Crawford, **HR 91** was adopted.

HR 1163, relating to interim house employees, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HR 1163** was adopted.

PERFECTION OF HOUSE BILLS

HB 1394, relating to sales and use tax holiday, was taken up by Representative Murray.

Representative Murray offered **HS HB 1394**.

Representative Froelker offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1394, Page 1, Section 144.049, Line 21, by striking the word “**period**” and inserting in lieu thereof the word “**periods**”; and

Further amend said bill, page, and section, Line 23, by inserting after “**2000**” the following:

“, **12:01 a.m., January 19, 2001, to midnight, January 21, 2001, 12:01 a.m., August 10, 2001, to midnight, August 12, 2001**”.

Representative Froelker moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Shields offered **House Amendment No. 2**.

Representative Campbell raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Ballard offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 1394, Page 1, Section 144.049, Lines 14-17, by striking all of said lines and inserting in lieu thereof the following:

“and use tax law in sections 144.010 to 144.525, and sections 144.600 to 144.745, and from the computation of the tax levied, assessed or payable pursuant to state sales and use tax law,”.

On motion of Representative Ballard, **House Amendment No. 2** was adopted by the following vote:

AYES: 122

Abel	Akin	Alter	Backer	Ballard
Barnett	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Champion	Chrismer	Clayton	Crump
Curls	Davis 122	Days	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Ford
Foster	Fraser	Froelker	Gaskill	Gibbons
Graham 106	Gratz	Griesheimer	Gross	Gunn
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Hollingsworth	Hosmer
Howerton	Kasten	Kelly 27	Kennedy	King
Klindt	Koller	Kreider	Lakin	Lawson
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Marble	May 108	Mays 50
McBride	McClelland	McKenna	Merideth	Miller
Monaco	Murphy	Myers	Naeger	Nordwald
O'Toole	Overschmidt	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reinhart	Relford
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	Smith
Summers	Surface	Thompson	Townley	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 030

Auer	Barry 100	Campbell	Cierpiot	Davis 63
Foley	Franklin	Gambara	George	Graham 24
Green	Hagan-Harrell	Hickey	Hilgemann	Hoppe
Kissell	Lograsso	McLuckie	Murray	O'Connor
Parker	Reid	Reynolds	Ridgeway	Riley
Rizzo	Scheve	Schilling	Shelton	Skaggs

PRESENT: 000

ABSENT WITH LEAVE: 010

Crawford	Elliott	Harlan	Kelley 47	Leake
Luetkenhaus	Ostmann	Richardson	Stokan	Treadway

VACANCIES: 001

On motion of Representative Murray, **HS HB 1394, as amended**, was adopted by the following vote:

AYES: 079

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambaro	George
Graham 24	Green	Gunn	Hagan-Harrell	Hampton
Harlan	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kennedy	Kissell	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Bray 84	Burton	Champion	Chrismer
Cierpiot	Crawford	Dolan	Dougherty	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kasten	King	Klindt	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel		

PRESENT: 000

ABSENT WITH LEAVE: 010

Elliott	Gratz	Kelley 47	Koller	O'Connor
Patek	Richardson	Stokan	Van Zandt	Wright

VACANCIES: 001

Representative Murray requested verification of the roll call on the adoption of **HS HB 1394, as amended**.

HS HB 1394, as amended, was placed on the Informal Calendar.

THIRD READING OF SENATE BILLS

HCS SB 856, relating to regulation of managed care, was placed on the Informal Calendar.

HCS SCS SB 894, relating to delinquent property taxes, was placed on the Informal Calendar.

HCS SCS SB 788, relating to employee rights, was placed on the Informal Calendar.

HCS SCS SB 542, relating to public administrators, was placed on the Informal Calendar.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HB 1602, relating to livestock sales regulations, was taken up and placed back on the Informal Calendar.

SUPPLEMENTAL CALENDAR

May 1, 2000

SENATE BILLS FOR THIRD READING

HCS SB 724 - Farnen
SB 961, E.C. - Ransdall
HCS SB 858 - Smith
SCS SB 779 - Williams (159)
SB 1053 - Days

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 885 - Civil and Administrative Law
SS SCS SB 925 - Agri-Business
SS SCS SB 926 - Education - Elementary and Secondary
HCS SB 741 - Fiscal Review (Fiscal Note)
HCS SB 936 - Fiscal Review (Fiscal Note)

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 38, introduced by Representatives Townley and Froelker, objecting to Health Care Financing Administration's actions relating to the Frene Valley Healthcare South Nursing Home.

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **SCS SB 597**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SCS SB 557**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HJR 51**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1289**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1353**, entitled:

An act to repeal section 58.449, RSMo 1994, relating to coroners' test results, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1353, Page 1, Section 58.449, Line 5, by inserting after "accident," the following:

"spouse of or any family member related within the second degree of consanguinity to a person killed in the accident,".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1509**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1591**, entitled:

An act to repeal section 344.040, RSMo 1994, relating to nursing home administrators, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1802**.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, May 2, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-first Day, Thursday, April 27, 2000, pages 1107 and 1108, roll call, by showing Representative Hartzler (124) voting "no" rather than "absent with leave".

Page 1109, roll call, by showing Representatives Kelly (27) and Tudor voting "aye" rather than "absent with leave".

Page 1111, roll call, by showing Representatives Barry and Reynolds voting "aye" rather than "absent with leave".

Pages 1112 and 1113, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Page 1114, roll call, by showing Representatives Hollingsworth and Surface voting "aye" rather than "absent with leave".

Page 1115, roll call, by showing Representatives Naeger and Surface voting "no" rather than "absent with leave".

Page 1116, roll call, by showing Representatives Surface and Wright voting "aye" rather than "absent with leave".

Pages 1116 and 1117, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 1117 and 1118, roll call, by showing Representatives Champion, Surface, Wilson (42) and Wright voting "aye" rather than "absent with leave".

Pages 1118 and 1119, roll call, by showing Representatives Champion, Reinhart and Wright voting "aye" rather than "absent with leave".

Page 1051, by deleting lines 17 through 27, and inserting in lieu thereof the following:

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 31

WHEREAS, the General Assembly cannot currently readily obtain from either state or federal sources information regarding the amount and sources of money contributed by each county and the city of St. Louis to the state road fund. Such information is required by the General Assembly to form sound public policy in the area of transportation budgeting and spending; and

WHEREAS, the General Assembly directs the Missouri Department of Revenue to study and determine the amount of money contributed by each county and the city of St. Louis to the state road fund; and

WHEREAS, the Missouri Department of Revenue shall compile the information in a report to be presented to the General Assembly and the governor no later than December 1, 2000. Such report shall contain all requested findings and shall detail the fiscal principles and assumptions used to arrive at such findings:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby direct the Missouri Department of Revenue to study and determine the amounts and sources of contributions by each county and the city of St. Louis to the state road fund and to present a report concerning the General Assembly to enable the General Assembly to make informed policy decisions in the area of transportation budgeting and spending for the benefit of the citizens of this state.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 34

BE IT RESOLVED by the members of the House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, that the Missouri Committee on Legislative Research shall prepare and cause to be collated, indexed, printed and bound all acts and resolutions of the Ninetieth General Assembly, Second Regular Session, and shall examine the printed copies and compare them with and correct the same by the original rolls, together with an attestation under the hand of the Revisor of Statutes that he has compared the same with the original rolls in his office and has corrected the same thereby; and

BE IT FURTHER RESOLVED that the size and quality of the paper and binding shall be substantially the same as used in prior session laws and the size and style of type shall be determined by the Revisor of Statutes; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research is authorized to print and bind copies of the acts and resolutions of the Ninetieth General Assembly, Second Regular Session, with appropriate indexing; and

BE IT FURTHER RESOLVED that the Revisor of Statutes is authorized to determine the number of copies to be printed.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 504**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 504

WHEREAS, the Missouri House of Representatives recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the House has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all people of the state of Missouri and to participate in the democratic process of government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, do hereby grant permission to the Missouri Catholic Conference to use the House Chamber and the House Hearing Rooms from 9:00 a.m. to 5:00 p.m. on Saturday, September 2, 2000, for the purpose of a citizenship assembly and workshop.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 557**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 557

WHEREAS, the Missouri House of Representatives fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the House has a long tradition of rendering assistance to those organizations which sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program is designed to familiarize high school students with the decision-making processes that determine public policy at the state level; and

WHEREAS, the basic objectives of the Missouri YMCA Youth in Government are to promote awareness of state issues and exploration and interchange of youth ideas on solutions to social problems, an interaction among high school students and adults from varying backgrounds focusing on common concerns, understanding of the governmental process through active participation in a model government, communication of youth concerns to appropriate individuals and groups within state government, and respect for the ideas and ideals of others in all aspects of the program and in the community:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, hereby grant the Missouri YMCA permission to use the House Hearing Rooms, Galleries, and the House Chamber for the purpose of conducting its 2000 Youth in Government State Pre-Convention Training on Saturday, November 18, 2000; and

BE IT FURTHER RESOLVED that the Missouri YMCA be granted permission to use the House Hearing Rooms, Galleries, and the House Chamber for the purpose of conducting its 2000 State Convention on Thursday, November 29, 2000, through Saturday, December 2, 2000.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 573**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 573

WHEREAS, historically, society has tended to isolate and segregate individuals with disabilities, and, despite some improvements, such forms of discrimination against individuals with disabilities continues to be a serious and pervasive social problem; and

WHEREAS, the institutional placement of persons with disabilities who can handle and benefit from community settings perpetuates an unwarranted assumption that disabled persons are incapable or unworthy of participating in community life; and

WHEREAS, such confinement in an institution severely diminishes the everyday life activities of disabled individuals, including family relations, social contacts, work options, economic independence, educational advancement and cultural enrichment; and

WHEREAS, under the federal Americans with Disabilities Act, states are required to provide community-based treatment for persons with disabilities when the state's treatment professionals determine that such placement is appropriate, the affected persons do not oppose such treatment, and the treatment can be reasonably accommodated, taking into account the resources available to the state and the needs of others with disabilities:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri House of Representatives, Ninetieth General Assembly, that a House Interim Committee of the General Assembly be created to be composed of five members of the majority party, four members of the minority party and one independent member, and that said committee be authorized to function during the interim between the Ninetieth and Ninety-first General Assemblies; and

BE IT FURTHER RESOLVED that said committee make a comprehensive study on residential, occupational and educational de-institutionalization of persons with disabilities, including the solicitation of information from appropriate state agencies and the public and make recommendations on the development of a comprehensive de-institutionalization plan; and

BE IT FURTHER RESOLVED Research and the Committee on Legislative Research provide such legal, research, clerical, technical and bill drafting services requested by the committee; and

BE IT FURTHER RESOLVED that the committee, its members, and any staff personnel assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the committee report its recommendations and findings to the Missouri General Assembly by January 1, 2001, and the authority of such committee shall terminate on December 31, 2000.

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, May 2, 2000, 8:00 am. Hearing Room 3.

Gary Stangler, Director Department of Social Services, Division of Family Services.
CTS Funds.

CONFERENCE COMMITTEE - APPROPRIATIONS

Tuesday, May 2, 2000, 8:00 am. Senate Committee Rooms 2 and 3.

To be considered - HB 1102, HB 1103, HB 1104, HB 1105, HB 1106, HB 1107, HB 1108, HB 1109, HB 1110, HB 1111, HB 1112

CONFERENCE COMMITTEE - APPROPRIATIONS

Tuesday, May 2, 2000, 10:30 am.

Senate West Gallery/Senate Conference Area (3rd Floor Rotunda)
House Bills 1102 through 1112.

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, May 2, 2000, 9:00 am. Hearing Room 5.

Executive Session may follow.

To be considered - SB 892

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, May 3, 2000, 8:00 am. Hearing Room 3.

To be considered - HB 2148, SB 851, SB 926

FISCAL REVIEW

Tuesday, May 2, 2000, 8:30 am. Hearing Room 4.

Executive Session. (Fiscal Note). AMENDED.

To be considered - HB 2011, SB 721, SB 813, SB 896, SB 944, SJR 35

JUDICIARY

Tuesday, May 2, 2000, 9:00 am. Hearing Room 1.

Executive Session.

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, May 2, 2000. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - SCR 38

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 3, 2000, 9:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HR 295, SCR 39, SJR 50

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 3, 2000, 9:00 am. Hearing Room 4.

To be considered - SB 1027

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, May 2, 2000, 8:30 am. Hearing Room 6.

Executive Session. To be considered - SB 763

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Wednesday, May 3, 2000. Hearing Room 3 upon morning adjournment.

To be considered - SJR 53

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, May 2, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow.

To be considered - SCR 36

TRANSPORTATION

Wednesday, May 3, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - SB 793, SCR 22, SCR 35

WAYS AND MEANS

Tuesday, May 2, 2000, 1:00 pm. Hearing Room 6.

Executive Session to follow.

To be considered - SB 956, SCR 29

HOUSE CALENDAR

SIXTY-THIRD DAY, TUESDAY, MAY 2, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 38

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45, HCA 1 - Scheve
- 4 HJR 51 - Clayton

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HB 2102 - Hampton
- 3 HB 1066, HCA 1 - Riback Wilson (25)
- 4 HB 1280 - Clayton
- 5 HB 1502 - Smith
- 6 HCS HB 1547 - Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 8 HB 1546 - Smith
- 9 HCS HB 1606 - Bray
- 10 HCS HB 1225 - Hosmer
- 11 HCS HB 1540 - Green
- 12 HCS HB 1942 - Liese
- 13 HCS HB 1578 - Shelton
- 14 HB 2056 - Gunn
- 15 HCS HB 1718 - Smith
- 16 HCS HB 1966 - Hosmer
- 17 HCS HB 1997 - Smith
- 18 HCS HB 1336 - Lakin
- 19 HCS HB 1780 - Liese
- 20 HCS HB 1816 - Hosmer
- 21 HCS HB 1357 - Bonner

- 22 HB 1872 - Seigfreid
- 23 HCS HB 1674 - Graham (24)
- 24 HCS HB 1154 - Boucher
- 25 HCS HB 2114 - Hoppe
- 26 HCS HB 1649 - Williams (121)
- 27 HB 1216 - Kelly (27)
- 28 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1602, as amended - Leake
- 2 HCS HB 1932 - Harlan
- 3 HB 1712 - McKenna
- 4 HS HB 1394, as amended - Murray

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 23, (3-16-00, pg. 646) - Bray
- 2 HCR 28, (4-11-00, pg. 916) - Van Zandt
- 3 HCR 34, (5-1-00) - Clayton

HOUSE BILL FOR THIRD READING

HS HB 2011, (Fiscal Review, 4-27-00) - Overschmidt

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE BILLS FOR THIRD READING

- 1 HCS SS SB 813, (Fiscal Review, 4-27-00) - Kissell
- 2 HCS SCS SB 721, (Fiscal Review, 4-27-00) - Boucher
- 3 HCS SB 944, (Fiscal Review, 4-27-00) - Smith
- 4 HCS SB 896, E.C. (Fiscal Review, 4-27-00) - May (108)
- 5 HCS SB 724 - Farnen
- 6 SB 961, E.C. - Farnen
- 7 HCS SB 858 - Smith
- 8 SCS SB 779 - Wiggins
- 9 SB 1053 - Days
- 10 HCS SS SCS SB 577 - Ransdall
- 11 HCS SB 741, (Fiscal Review, 5-1-00) - Backer
- 12 HCS SB 936, E.C. (Fiscal Review, 5-1-00) - Bray

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 HCS SB 856 - Harlan
- 2 HCS SCS SB 894 - Hoppe
- 3 HCS SB 788 - Barry
- 4 HCS SCS SB 542 - Hoppe

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 1353, SCA 1 - Farnen
- 2 SCS HB 1591 - Backer

BILL CARRYING REQUEST MESSAGES

SCS HS HCS HB 1742, as amended, (req. Senate recede/grant conf.) - Koller

BILLS IN CONFERENCE

- 1 SCS HCS HB 1102, as amended - Franklin
- 2 SCS HCS HB 1103, as amended - Franklin
- 3 SCS HCS HB 1104 - Franklin
- 4 SCS HCS HB 1105, as amended - Franklin
- 5 SCS HCS HB 1106, as amended - Franklin
- 6 SCS HCS HB 1107, as amended - Franklin
- 7 SCS HCS HB 1108 - Franklin
- 8 SCS HCS HB 1109 - Franklin
- 9 SCS HCS HB 1110, as amended - Franklin
- 10 SCS HCS HB 1111, as amended - Franklin
- 11 SCS HCS HB 1112, as amended - Franklin

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTY-THIRD DAY, TUESDAY, MAY 2, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Compassion and justice are Your names, oh loving God of history. Show Yourself in our deliberations today. May this work begin in You, and in You find completion. Let the words we compose and the laws we pass reflect in some way Your desires for our state and Your dream for humanity. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Laura Swank, Emily Woods, Michael Cassilly, Lauren Walter, Nicholas Bouvatte, Anne Mills, Brady Hanlen, Megan O'Brien, Ina Redstone, Rachael Amick, Courtney Hawkins, Yamini Krishnamarthy, Lee Windmiller, Hillary S. Greenwell, Sandra Marie Greenwell, Adam Henner and Jordan Henner.

The Journal of the sixty-second day was approved as corrected by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten

Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 003

Berkstresser Stokan Townley

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1373 - Representative Abel
House Resolution No. 1374
and
House Resolution No. 1375 - Representative Relford
House Resolution No. 1376 - Representative Ladd Stokan
House Resolution No. 1377
and
House Resolution No. 1378 - Representative Burton
House Resolution No. 1379 - Representatives Burton and Surface
House Resolution No. 1380 - Representative Relford
House Resolution No. 1381 - Representative Graham (106)
House Resolution No. 1382 - Representative Black
House Resolution No. 1383
and
House Resolution No. 1384 - Representative Patek
House Resolution No. 1385
through
House Resolution No. 1388 - Representative Fitzwater
House Resolution No. 1389 - Representative Riback Wilson (25)
House Resolution No. 1390
through
House Resolution No. 1393 - Representative Britt

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 38 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1159** and **HS HCS HB 1888**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 721**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 813**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 896**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 944**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 1888 - Fiscal Review (Fiscal Note)

HB 1159 - Fiscal Review (Fiscal Note)

HOUSE BILLS WITH SENATE AMENDMENTS

HB 1353, with Senate Committee Amendment No. 1, relating to coroners' reports, was taken up by Representative Farnen.

On motion of Representative Farnen, **Senate Committee Amendment No. 1** was adopted by the following vote:

AYES: 154

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hampton	Hanaway	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake

Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkstresser	Boucher 48	Franklin	Gunn	Harlan
Hartzler 123	Stokan	Townley		

VACANCIES: 001

On motion of Representative Farnen, **HB 1353, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Berkstresser	Boucher 48	Franklin	Gunn	Hartzler 123
Linton	Patek	Seigfreid	Stokan	Townley

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Green, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Auer moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1591, relating to nursing home administrators, was taken up by Representative Backer.

Representative Backer moved that the House refuse to adopt **SCS HB 1591** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

MOTION

Representative Green moved that Rule 26 be suspended for this day, May 2, 2000, for the purpose of allowing meetings of conference committees on **SCS HCS HB 1105** through **SCS HCS HB 1112**.

Which motion was adopted by the following vote:

AYES: 132

Abel	Auer	Backer	Barry 100	Bennett
Berkowitz	Black	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Champion	Chrismer	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Fraser
Froelker	Gambara	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Long	Luetkemeyer
Luetkenhaus	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Pouche 30
Pryor	Ransdall	Relford	Reynolds	Richardson

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Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 023

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Blunt	Boatright	Cierpiot	Gaskill
Hanaway	Hendrickson	Hohulin	Linton	Lograsso
Loudon	Marble	Murphy	Phillips	Purgason
Reid	Reinhart	Ridgeway		

PRESENT: 001

Patek

ABSENT WITH LEAVE: 006

Berkstresser	Franklin	Gunn	Stokan	Townley
Wright				

VACANCIES: 001

CONFERENCE COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Franklin is no longer a member of the Conference Committees on SCS HCS HB 1105, SCS HCS HB 1106, SCS HCS HB 1107, SCS HCS HB 1108, SCS HCS HB 1109, SCS HCS HB 1110, and SCS HCS HB 1111.

Representative Scheve has been appointed a member of the Conference Committee on SCS HCS HB 1105.

Representative Williams (159) has been appointed a member of the Conference Committee on SCS HCS HB 1106.

Representative Williams (159) has been appointed a member of the Conference Committee on SCS HCS HB 1107.

Representative Days has been appointed a member of the Conference Committee on SCS HCS HB 1108.

Representative Lakin has been appointed a member of the Conference Committee on SCS HCS HB 1109.

Representative Scheve has been appointed a member of the Conference Committee on SCS HCS HB 1110.

Representative Lakin has been appointed a member of the Conference Committee on SCS HCS HB 1111.

THIRD READING OF SENATE BILLS

HCS SCS SB 721, relating to assistive technology, was taken up by Representative Boucher.

Representative Froelker offered **HS HCS SCS SB 721**.

HS HCS SCS SB 721 was withdrawn.

Representative Froelker offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 721, Page 7, Section 209.259, Line 25, by inserting after all of said line the following:

"Section B. Section 301.020, RSMo Supp. 1999, and section 302.171, as both versions appear in RSMo Supp. 1999, are repealed and three new sections enacted in lieu thereof, to be known as sections 192.936, 301.020 and 302.171, to read as follows:

192.936. 1. There is hereby created in the state treasury the "Blindness Education, Screening and Treatment Program Fund". The fund shall consist of moneys donated pursuant to subsection 7 of section 301.020, RSMo, and subsection 3 of section 302.171, RSMo. Unexpended balances in the fund at the end of any fiscal year shall not be transferred to the general revenue fund or any other fund, the provisions of section 33.080, RSMo, to the contrary notwithstanding.

2. Subject to the availability of funds in the blindness education, screening and treatment program fund, the department shall develop a blindness education, screening and treatment program to provide blindness prevention education and to provide screening and treatment for persons who do not have adequate coverage for such services under a health benefit plan.

3. The program shall provide for:

- (1) Public education about blindness and other eye conditions;**
- (2) Screenings and eye examinations to identify conditions that may cause blindness; and**
- (3) Treatment procedures necessary to prevent blindness.**

4. The department may contract for program development with any department approved nonprofit organization dealing with regional and community blindness education, eye donor and vision treatment services.

5. The department may adopt rules to prescribe eligibility requirements for the program.

6. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, except as herein otherwise expressly provided, shall annually file, by mail or otherwise, in the office of the director of revenue, an application for registration on a blank to be furnished by the director of revenue for that purpose containing:

- (1) A brief description of the motor vehicle or trailer to be registered, including the name of the manufacturer, the vehicle identification number, the amount of motive power of the motor vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor vehicle primarily for business use as defined in section 301.010;
- (2) The name, the applicant's identification number and address of the owner of such motor vehicle or trailer;
- (3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a commercial motor vehicle or trailer.

2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010 and if such vehicle is five years of age or less, the director of revenue shall retain the odometer information provided in the vehicle inspection report, and provide for prompt access to such information, together with the vehicle identification number

for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This section shall not apply unless:

- (1) The application for the vehicle's certificate of ownership was submitted after July 1, 1989; and
- (2) The certificate was issued pursuant to a manufacturer's statement of origin.

3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business use, a recreational motor vehicle, motorcycle, motortricycle, bus or any commercial motor vehicle licensed for over twelve thousand pounds and if such motor vehicle is five years of age or less, the director of revenue shall retain the odometer information provided in the vehicle inspection report, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This subsection shall not apply unless:

- (1) The application for the vehicle's certificate of ownership was submitted after July 1, 1990; and
- (2) The certificate was issued pursuant to a manufacturer's statement of origin.

4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010, the owner or lienholder shall surrender the certificate of ownership. The owner shall make an application for a new certificate of ownership, pay the required title fee, and obtain the vehicle examination certificate required pursuant to section 301.190. Notarized bills of sale along with a copy of the front and back of the certificate of ownership for all major component parts installed on the vehicle and invoices for all essential parts which are not defined as major component parts shall accompany the application for a new certificate of ownership. If the vehicle is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance of a special number by the director of revenue or a replacement vehicle identification number, the applicant shall submit the required application and application fee. All applications required under this subsection shall be submitted with any applicable taxes which may be due on the purchase of the vehicle or parts. The director of revenue shall appropriately designate "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and all subsequent issues of the certificate of ownership of such vehicle.

5. Every insurance company which pays a claim for repair of a motor vehicle which as the result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 shall in writing notify the claimant, if he is the owner of the vehicle, and the lienholder if a lien is in effect, that he is required to surrender the certificate of ownership, and the documents and fees required pursuant to subsection 3 of this section, to the director of revenue. The insurance company shall within thirty days of the payment of such claims report to the director of revenue the name and address of such claimant, the year, make, model, vehicle identification number, and license plate number of the vehicle, and the date of loss and payment.

6. Anyone who fails to comply with the requirements of this section shall be guilty of a class B misdemeanor.

7. An applicant for registration may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 192.936, RSMo. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 192.936, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

302.171. 1. Application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, Social Security number, age, height, weight, color of eyes, sex, residence, mailing address of the applicant, and the classification for which the applicant has been licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a one dollar donation to promote an organ donation program as prescribed in subsection 2 of this section. The application shall also contain such information as the director may require to enable the director to determine the applicant's qualification for driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or any other state for violating the laws of this or any other state or any ordinance of any municipality, relating to driving without a license, careless driving, or driving while intoxicated, or failing to stop after an accident and disclosing the applicant's identity, or driving a motor vehicle without the owner's consent. The application shall contain a

certification by the applicant as to the truth of the facts stated therein. Every person who applies for a license to operate a motor vehicle who is less than twenty-one years of age shall be provided with educational materials relating to the hazards of driving while intoxicated, including information on penalties imposed by law for violation of the intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less than eighteen years of age, the applicant must comply with all requirements for the issuance of an intermediate driver's license pursuant to section 302.178.

2. An applicant for a license may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund established in sections 194.297 to 194.304, RSMo. Moneys in the organ donor program fund shall be used solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall make available an informational booklet or other informational sources on the importance of organ donations to applicants for licensure as designed by the organ donation advisory committee established in sections 194.297 to 194.304, RSMo. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection and whether the applicant is interested in making an organ donation and shall also specifically inform the licensee of the ability to make an organ donation by completing the form on the reverse of the license that the applicant will receive in the manner prescribed by subsection 6 of section 194.240, RSMo. The director shall notify the department of health of information obtained from applicants who indicate to the director that they are interested in making organ donations, and the department of health shall enter the complete name, address, date of birth, race, gender and a unique personal identifier in the registry established in subsection 1 of section 194.304, RSMo.

3. An applicant for a license may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 192.936, RSMo. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 192.936, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

[302.171. 1. Application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, Social Security number, age, height, weight, color of eyes, color of hair, sex, residence, mailing address of the applicant, and the classification for which the applicant has been licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a one dollar donation to promote an organ donation program as prescribed in subsection 2 of this section. The application shall also contain such information as the director may require to enable the director to determine the applicant's qualification for driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or any other state for violating the laws of this or any other state or any ordinance of any municipality, relating to careless driving, or driving while intoxicated, or failing to stop after an accident and disclosing the applicant's identity, or driving a motor vehicle without the owner's consent. The application shall contain a certification by the applicant as to the truth of the facts stated therein. Every person who applies for a license to operate a motor vehicle who is less than twenty-one years of age shall be provided with educational materials relating to the hazards of driving while intoxicated, including information on penalties imposed by law for violation of the intoxication-related offenses of the state.

2. An applicant for a license may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund established in sections 194.297 to 194.304, RSMo. Moneys in the organ donor program fund shall be used solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall make available an informational booklet or other informational sources on the importance of organ

donations to applicants for licensure as designed by the organ donation advisory committee established in sections 194.297 to 194.304, RSMo. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection and whether the applicant is interested in making an organ donation and shall also specifically inform the licensee of the ability to make an organ donation by completing the form on the reverse of the license that the applicant will receive in the manner prescribed by subsection 6 of section 194.240, RSMo. The director shall notify the department of health of information obtained from applicants who indicate to the director that they are interested in making organ donations, and the department of health shall enter the complete name, address, date of birth, race, gender and a unique personal identifier in the registry established in subsection 1 of section 194.304, RSMo.]

Section C. The provisions of section B of this act shall become effective January 1, 2001."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Froelker, **House Amendment No. 1** was adopted by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Berkstresser	Dolan	Franklin	Gunn	Holand
King	Sallee	Scheve	Stokan	Townley
Treadway	Williams 121			

VACANCIES: 001

On motion of Representative Boucher, **HCS SCS SB 721, as amended**, was adopted.

On motion of Representative Boucher, **HCS SCS SB 721, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Fraser	Froelker	Gambara
Gaskill	George	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Ransdall	Reid	Reinhart
Relford	Richardson	Ridgeway	Riley	Rizzo
Robirds	Sallee	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 014

Barry 100	Berkstresser	Franklin	Gibbons	Gunn
Harlan	McBride	Purgason	Ross	Scheve
Stokan	Townley	Treadway	Williams 121	

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Lakin, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Wagner moved that motion lay on the table.

The latter motion prevailed.

Representative Smith assumed the Chair.

HCS SS SB 813, relating to law enforcement officers, was taken up by Representative Kissell.

Representative Backer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 3, Section 650.010, Line 14, by adding after the word “employee” the following:

“developmental aide, psychiatric aide, security aide”.

On motion of Representative Backer, **House Amendment No. 1** was adopted.

Representative Kreider offered **House Amendment No. 2**.

Representative Kissell raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Thompson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 4, Section 650.010, Line 33, by inserting the following at the end of said line:

“Section 1. 1. All law enforcement agency personnel records of a peace officer shall be made available to any hiring law enforcement agency, including, but not limited to, uncompleted investigations of alleged acts of the peace officer.

2. Any law enforcement agency with information showing a peace officer’s unfitness for certification shall provide such information to the peace officer standards and training commission.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Thompson moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Ward offered **House Amendment No. 3**.

Representative Shields raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Selby offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 1, Section 85.011, Line 1, by inserting immediately after the number "85.011." the number "**1.**"; and

Further amend said bill, Page 2, Section 85.011, Line 24, by inserting after all of said line the following:

"2. Any chief law enforcement officer employed by the state or any political subdivision of the state shall be provided written policies and procedures outlining disciplinary actions and dismissals in regards to such officer's position by the governing body."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Selby, **House Amendment No. 3** was adopted.

Representative Relford offered **House Amendment No. 4.**

Representative Kissell raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Hampton offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 2, Section 85.011, Line 24, by inserting the following at the end of said section:

"306.165. Each water [patrolman] **patrol officer** appointed by the Missouri state water patrol and each of such other employees as may be designated by the patrol, before entering upon his **or her** duties, shall take and subscribe an oath of office to perform [his] **all** duties faithfully and impartially, and shall be given a certificate of appointment, a copy of which shall be filed with the secretary of state, granting [him] all the powers of a peace officer to enforce all laws of this state, upon all of the following:

- (1) The waterways of this state bordering the lands set forth in subdivisions (2), (3), (4), and (5) of this section;
- (2) All federal land, where not prohibited by federal law or regulation, and state land adjoining the waterways of this state;
- (3) All land within three hundred feet of the areas in subdivision (2) of this section;
- (4) All land adjoining and within six hundred feet of any waters impounded in areas not covered in subdivision (2) with a shoreline in excess of four miles;
- (5) All land adjoining and within six hundred feet of the rivers and streams of this state;
- (6) Any other jurisdictional area, pursuant to the provisions of section 306.167.

Each water [patrolman] **patrol officer** may board any watercraft at any time, with probable cause, for the purpose of making any inspection necessary to determine compliance with the provisions of this chapter. Each water [patrolman]

patrol officer may arrest on view[,] and without a warrant[,] any person he **or she** sees violating or who [he] **such patrol officer** has reasonable grounds to believe has violated any law of this state, upon any water or land area subject to his **or her** jurisdiction as provided in this section. It is further provided that each water [patrolman] **patrol officer** shall be bonded in like manner and amount as sheriffs [under] **pursuant to** section 57.020, RSMo. Each water [patrolman] **patrol officer** shall, within six months after receiving [his] **a** certificate of appointment, satisfactorily complete a law enforcement training course including six hundred hours of actual instruction conducted by a duly constituted law enforcement agency or any other school approved [under] **pursuant to** chapter 590, RSMo. **In addition to the powers previously prescribed in this section, each water patrol officer, while investigating an accident or crime which was originally committed within such patrol officer's jurisdiction as set forth in this section, may arrest any person who he or she has probable cause to believe has committed such crime, even if such person is presently out of the water patrol's jurisdiction."**; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hampton, **House Amendment No. 4** was adopted.

Representative Rizzo offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 4, Section 650.010, Line 33, by inserting the following new section immediately following said line:

"84.610. **1.** Any police officer, policeman or employee adversely affected by any action taken by the chief which he is required to report to the board under the provisions of subdivision (1) of section 84.500 shall have the right to have such action of the chief of police reviewed by the police board upon filing with the secretary of the board within ten days after the effective date of such action a written request for review by said police board. Whereupon the police board shall [grant] **appoint a hearing officer to take evidence in** a public hearing within fifteen days after the filing of such request. The [board] **hearing officer** shall have the power to inquire into all the facts and circumstances pertaining to such action and may compel the attendance of witnesses by subpoena at the request of either the police officer, policeman or employee involved, the chief of police or [any member of the board.] **the hearing officer. The hearing officer shall within thirty days after the public hearing make a report to the board.** The board shall have the power upon **receiving** such [hearing] **report** to affirm, modify or reverse such action of the chief and may make such orders as the board may deem necessary. The board shall report all decisions in writing to the chief of police and to the officer or employee involved. [Each decision of the police board in such case shall be final and not subject to review by any court.]".

On motion of Representative Rizzo, **House Amendment No. 5** was adopted.

Speaker Pro Tem Kreider resumed the Chair.

Representative Relford offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 1, Section 85.011, Line 1, by inserting immediately before said section the following:

"57.1010. As used in sections 57.1010 to 57.1016, the following terms mean:

(1) "Full-time", any employee who is designated as full-time by a political subdivision, or any employee who works at least thirty-five hours per week for such political subdivision.

(2) "Policeman", any regular or permanent employee of the police department of a political subdivision, including a probationary policeman. The term "policeman" shall not include:

- (a) Any civilian employee of a police department; or
- (b) Any person temporarily employed as a policeman for an emergency;

(3) "Salary", the regular remuneration earned by a policeman or sheriff's deputy as an employee of a political subdivision, but not including employer paid fringe benefits except the value of employer paid medical benefits, including dental and vision, for employees, and not including consideration for agreeing to retire or other nonrecurring or unusual payments that are not a part of regular remuneration; the office of administration by its rules may further define salary in a manner consistent with this definition.

(4) "Sheriff's deputy", any person contemplated by the terms "deputy" or "deputy sheriff" as used in this chapter.

57.1013. 1. There is hereby established in the state treasury the "Policemen and Sheriff's Deputies Trust Fund". The moneys in the fund shall only be used for the purposes as provided in sections 57.1010 to 57.1016. The fund shall consist of moneys required by law to be credited to such fund and moneys appropriated to the fund by the general assembly.

2. Beginning in the fiscal year 2002, the general assembly shall appropriate from general revenue to the policemen and sheriff's deputies trust fund an amount necessary to fulfill the minimum salary requirements for policemen and sheriff's deputies in those political subdivisions that meet the criteria described in section 57.1016. The appropriation shall be sufficient to ensure that all qualifying political subdivisions are able to comply with the minimum salary requirements of section 57.1016. The office of administration shall determine, prior to January 1, 2001, those political subdivisions which shall be eligible to receive funds pursuant to sections 57.1010 to 57.1016 during the fiscal years 2002, 2003, and 2004. A qualifying political subdivision shall be eligible to receive funds appropriated pursuant to sections 57.1010 to 57.1016 only during the fiscal years 2002, 2003, and 2004.

57.1016. 1. Notwithstanding the provisions of sections 57.201 to 57.251, and sections 84.160 and 84.510, RSMo, beginning with the fiscal year 2002, the minimum salary for all full-time policemen and sheriff's deputies in this state shall be twenty thousand dollars.

2. Any political subdivision that, on January 1, 2001, pays any of its full-time policemen or sheriff's deputies less than twenty thousand dollars may, for the fiscal years 2002, 2003, and 2004, use moneys from the policemen and sheriff's deputies trust fund established pursuant to section 57.1013 to increase the salaries of such policemen and sheriff's deputies to a minimum of twenty thousand dollars. Any political subdivision that, prior to January 1, 2001, had paid all of its full-time policemen or sheriff's deputies a salary greater than nineteen thousand nine hundred ninety-nine dollars shall continue to do so without assistance from such fund.

3. The office of administration and the department of public safety may issue such rules as may be necessary for the enforcement of sections 57.1010 to 57.1016. No rule or portion of a rule promulgated pursuant to sections 57.1010 to 57.1016 shall become effective unless it is promulgated pursuant to chapter 536, RSMo.

4. The provisions of sections 57.1010 to 57.1016 shall terminate on July 1, 2005."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Kissell raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Relford, **House Amendment No. 6** was adopted.

HCS SS SB 813, as amended, was laid over.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1742, as amended**, and grants the House a conference thereon.

On motion of Representative Crump, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Rachel Paul, Chris Sell, Lauren Walter, Chris Zemple and Jim Shoulberg.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1394 - Representative Riback Wilson (25), et al
House Resolution No. 1395
through
House Resolution No. 1398 - Representative Kelley (47)
House Resolution No. 1399 - Representatives Gratz and Vogel
House Resolution No. 1400 - Representatives Ross and Hoppe

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SBs 867 & 552 - Fiscal Review (Fiscal Note)
HCS SS SCS SBs 678 & 742 - Fiscal Review (Fiscal Note)
HCS SS SB 902 - Fiscal Review (Fiscal Note)
HCS SB 922 - Fiscal Review (Fiscal Note)

THIRD READING OF SENATE BILL

HCS SS SB 813, as amended, relating to law enforcement officers, was again taken up by Representative Kissell.

Representative Wright offered **House Amendment No. 7**.

Representative Kissell raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Thompson offered **House Amendment No. 7**.

Representative Kissell raised a point of order that **House Amendment No. 7** is dilatory.

The Chair ruled the point of order well taken.

Representative Luetkemeyer offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 4, Section 650.010, Line 33, by inserting after all of said line the following:

"Section B. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 are hereby enacted, to read as follows:

Section 1. Sections 1 to 20 of this act shall be known as the "Missouri Law Enforcement District Act".

Section 2. As used in sections 1 to 20 of this act, the following terms mean:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
- (2) "Board", the board of directors of a district;
- (3) "District", a law enforcement district organized pursuant to sections 1 to 20 of this act.

Section 3. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification without a charter form of government and a population of fifty thousand inhabitants or less.

Section 4. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities.

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district or who is a registered voter resident within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. In the event any owner of real property within the proposed district who is named in the petition or any legal voter resident within the district shall not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon said owner or legal voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

Section 5. 1. Any owner of real property within the proposed district and any legal voter who is a resident within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall determine and declare the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

Section 6. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized pursuant to sections 1 to 20 of this act, the petitioners may be reimbursed for such costs out of the revenues received by the district.

Section 7. A district created pursuant to sections 1 to 20 of this act shall be governed by a board of directors consisting of five members to be elected as provided in section 8 of this act.

Section 8. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters resident within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of residents of the district.

2. The attendees, when assembled, shall organize by the election of a chairman and secretary of the meeting who shall conduct the election.

3. Each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the residents called by the board. Each successor director shall serve a three-year term. The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

Section 9. 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. Within thirty days after the election of the initial directors, the board shall meet. At its first meeting and after each election of new board members the board shall elect a chairman, a secretary, a treasurer and such other officers as it deems necessary from its members. A director may fill more than one office, except that a director may not fill both the office of chairman and secretary.

3. The board may employ such employees as it deems necessary; provided, however, that the board shall not employ any employee who is related within the third degree by blood or marriage to a member of the board.

4. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

6. Each director shall devote such time to the duties of the office as their faithful discharge may require and may be reimbursed for such director's actual expenditures in the performance of such director's duties on behalf of the district.

Section 10. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 1 to 20 of this act and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

Section 11. 1. If approved by at least four-sevenths of the qualified voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

G YES

G NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

Section 12. 1. A district may contract and incur obligations appropriate to accomplish its purposes.

2. A district may enter into any lease or lease-purchase agreement for or with respect to any real or personal property necessary or convenient for its purposes.

3. A district may borrow money for its purposes at such rates of interest as the district may determine.

4. A district may enter into labor agreements, establish all bid conditions, decide all contract awards, pay all contractors and generally supervise the operation of the district.

Section 13. The district may contract with a federal agency, a state or its agencies and political subdivisions, a corporation, partnership or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity; provided, however, that any contract providing for the overall management and operation of the district shall only be with a governmental entity or a not for profit corporation.

Section 14. In addition to all other powers granted by sections 1 to 20 of this act the district shall have the following general powers:

- (1) To contract with the local sheriff's department for the provision of services;
- (2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;
- (3) To fix compensation of its employees and contractors;
- (4) To purchase any personal property necessary or convenient for its activities;
- (5) To collect and disburse funds for its activities; and
- (6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

Section 15. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. The district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.

Section 16. 1. The boundaries of any district organized pursuant to sections 1 to 20 of this act may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116,

RSMo; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 17 of this act. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.

Section 17. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 16 of this act, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

GYES

G NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the

district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.

Section 18. 1. The authority of the district to levy any property tax levied pursuant to section 11 of this act may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116, RSMo; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116, RSMo. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 19 of this act. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.

Section 19. 1. If the petition filed pursuant to section 18 of this act contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 18 of this act, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the Law Enforcement District to adopt property taxes be terminated?
G YES G NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.

Section 20. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 1 to 20 of this act is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation

of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 8 of this act, in substantially the following form:

Shall (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

GYES

GNO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court. If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 1 to 20 of this act.

Section C. Because immediate action is necessary to protect the public safety, section B of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section B of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Britt raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Luetkemeyer, **House Amendment No. 7** was adopted.

Representative Gibbons offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 2, Section 85.011, Line 13, by deleting the word "hearing" and inserting in lieu thereof the word "**review**".

Representative Richardson offered **House Substitute Amendment No. 1 for House Amendment No. 8.**

*House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 2, Section 85.011, Line 24, by adding after the period “.” the following:

“No municipality which uses this section shall have its action reviewed under Chapter 536 RSMo or have its determinations reviewed pursuant to Chapter 536 RSMo.”.

Representative Richardson moved that **House Substitute Amendment No. 1 for House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Black	Blunt	Boatright	Burton
Champion	Crawford	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	Kennedy	King	Legan	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Myers	Naeger	Nordwald
Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Summers
Surface	Tudor	Vogel	Wright	

NOES: 091

Abel	Auer	Backer	Barry 100	Bennett
Berkowitz	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Chrismer	Cierpiot
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Farnen	Fitzwater
Foley	Ford	Fraser	Gambaro	George
Graham 24	Gratz	Green	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Levin	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Ransdall	Reid	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 007

Berkstresser
Stokan

Franklin
Townley

Klindt

Murphy

Relford

VACANCIES: 001

Representative Hosmer offered **House Substitute Amendment No. 2 for House Amendment No. 8.**

*House Substitute Amendment No. 2
for
House Amendment No. 8*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 2, Section 85.011, Lines 16-18, by deleting all of said lines and inserting in lieu thereof the following:

“[has substantially similar or greater procedures] **has adopted a personnel system with an appeals procedure providing for a hearing with a right to subpoena witnesses and evidence, either by ordinance or charter provision,** shall be deemed to be in compliance with this section. This”.

On motion of Representative Hosmer, **House Substitute Amendment No. 2 for House Amendment No. 8** was adopted.

Representative Relford offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 2, Section 85.011, Line 24, by inserting the following at the end of said section:

"221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo, for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to the provisions of this section shall be effective unless the commission submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of (counties' names) impose a regionwide sales tax of (insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

G Yes

G No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the ordinance or order and any amendments to such ordinance or order shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If the proposal receives less than the required majority, then the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by

the required majority of the qualified voters of the district voting on such proposal. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Regional Jail District Sales Tax Trust Fund". The moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax; such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be by an appropriation act to be enacted by the commission of each such district. Expenditures may be made from the fund for any functions authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire August 28, 2015.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Monaco raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Gratz offered **House Amendment No. 1 to House Amendment No. 9.**

*House Amendment No. 1
to
House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute for Senate Substitute for Senate Bill No. 813, by adding at the end of said amendment, the following:

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 4, Section 650.010, Line 33, by adding after said line:

“Section 1. In no event shall any public funds from any source, including tax assessments, general revenues, etc., be used to pay a private company to manage, staff, or otherwise control the operations, maintenance, etc. of any jail or prison, except in the case of a private facility that is in operation on or before August 28, 2000.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Gratz moved that **House Amendment No. 1 to House Amendment No. 9** be adopted.

Which motion was defeated.

On motion of Representative Relford, **House Amendment No. 9** was adopted.

Representative Pryor offered **House Amendment No. 10**.

Representative Monaco raised a point of order that **House Amendment No. 10** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Britt offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 1, Section 85.011, Line 1, by inserting immediately before said line the following:

“50.550. 1. The annual budget shall present a complete financial plan for the ensuing budget year. It shall set forth all proposed expenditures for the administration, operation and maintenance of all offices, departments, commissions, courts and institutions; the actual or estimated operating deficits or surpluses from prior years; all interest and debt redemption charges during the year and expenditures for capital projects.

2. The budget shall contain adequate provisions for the expenditures necessary for the care of insane pauper patients in state hospitals, for the cost of holding elections and for the costs of holding circuit court in the county that are chargeable against the county, for the repair and upkeep of bridges other than on state highways and not in any special road district, and for the salaries, office expenses and deputy and clerical hire of all county officers and agencies.

3. In addition, the budget shall set forth in detail the anticipated income and other means of financing the proposed expenditures.

4. All receipts of the county for operation and maintenance shall be credited to the general fund, and all expenditures for these purposes shall be charged to this fund; except, that receipts from the special tax levy for roads and bridges shall be kept in a special fund and expenditures for roads and bridges may be charged to the special fund.

5. All receipts from the sale of bonds for any purpose shall be credited to the bond fund created for the purpose, and all expenditures for this purpose shall be charged to the fund. All receipts for the retirement of any bond issue shall be credited to a retirement fund for the issue, and all payments to retire the issue shall be charged to the fund. All receipts for interest on outstanding bonds and all premiums and accrued interest on bonds sold shall be credited to the interest fund, and all payments of interest on the bonds shall be charged to the interest fund.

6. Subject to the provisions of Section 50.555 the county commission may create a fund to be known as “The County Crime Reduction Fund”.

7. [6.]The county commission may create other funds as are necessary from time to time.

50.555. 1. A county commission may establish by resolution a fund whose proceeds may be expended only for the purposes provided for in subsection 3 of this section. The fund shall be designated as a county crime reduction fund and shall be under the supervision of a board of trustees consisting of one citizen of the county appointed by the presiding commissioner of the county, one citizen of the county appointed by the sheriff of the county, and one citizen of the county appointed by the county prosecuting attorney.

2. Money from the county crime reduction fund shall only be expended upon the approval of a majority of the members of the county crime reduction fund's board of trustees and only for the purposes provided for by subsection 3 of this section.

3. Money from the county crime reduction fund shall only be expended for the following purposes:

- (1) narcotics investigation, prevention and intervention;**
- (2) payment of rewards through the sheriff's employees;**
- (3) purchase of law enforcement related equipment and supplies for the sheriff's office;**
- (4) matching funds for federal or state law enforcement grants;**
- (5) funding for the reporting of all state and federal crime statistics or information; and**
- (6) any law enforcement related expense, including those of the prosecuting attorney, approved by the board of trustees for the county crime fund that is reasonably related to investigation, preparation, trial and disposition of criminal cases before the courts of the State of Missouri.**

4. The county commission may not reduce any law enforcement agency's budget as a result of funds the law enforcement agency receives from the county crime reduction fund. The crime reduction fund is to be used only as a supplement to the law enforcement agency's funding received from other county, state or federal funds.

5. County crime reduction funds shall be audited as are all other county funds.

558.019. 1. This section shall not be construed to affect the powers of the governor under article IV, section 7, of the Missouri Constitution. This statute shall not affect those provisions of section 565.020, RSMo, section 558.018 or section 571.015, RSMo, which set minimum terms of sentences, or the provisions of subsections 2 through 5 of section 559.115, RSMo, relating to probation.

2. The provisions of this section shall be applicable to all classes of felonies except those set forth in chapter 195, RSMo, and those otherwise excluded in subsection 1 of this section. For the purposes of this section, "prison commitment" means and is the receipt by the department of corrections of a defendant after sentencing. For purposes of this section, prior prison commitments to the department of corrections shall not include commitment to a regimented discipline program established pursuant to section 217.378, RSMo. Other provisions of the law to the contrary notwithstanding, any defendant who has pleaded guilty to or has been found guilty of a felony other than a dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve the following minimum prison terms:

(1) If the defendant has one previous prison commitment to the department of corrections for a felony offense, the minimum prison term which the defendant must serve shall be forty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(2) If the defendant has two previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the defendant must serve shall be fifty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(3) If the defendant has three or more previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the defendant must serve shall be eighty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

3. Other provisions of the law to the contrary notwithstanding, any defendant who has pleaded guilty to or has been found guilty of a dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve a minimum prison term of eighty-five percent of the sentence imposed by the court or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first. For purposes of this section, the phrase "sentence imposed by the court" means the total aggregate sentence actually imposed by the sentencing court.

4. For the purpose of determining the minimum prison term to be served, the following calculations shall apply:

(1) A sentence of life shall be calculated to be thirty years;

(2) Any sentence either alone or in the aggregate with other consecutive sentences for crimes committed at or

near the same time which is over seventy-five years shall be calculated to be seventy-five years.

5. For purposes of this section, the term "minimum prison term" shall mean time required to be served by the defendant before he is eligible for parole, conditional release or other early release by the department of corrections. Except that the board of probation and parole, in the case of consecutive sentences imposed at the same time pursuant to a course of conduct constituting a common scheme or plan, shall be authorized to convert consecutive sentences to concurrent sentences, when the board finds, after hearing with notice to the prosecuting or circuit attorney, that the sum of the terms results in an-unreasonably excessive total term, taking into consideration all factors related to the crime or crimes committed and the sentences received by others similarly situated.

6. (1) A sentencing advisory commission is hereby created to consist of eleven members. One member shall be appointed by the speaker of the house. One member shall be appointed by the president pro tem of the senate. One member shall be the director of the department of corrections. Six members shall be appointed by and serve at the pleasure of the governor from among the following: the public defender commission; private citizens; a private member of the Missouri Bar; the board of probation and parole; and a prosecutor. Two members shall be appointed by the supreme court, one from a metropolitan area and one from a rural area. All members of the sentencing commission appointed prior to August 28, 1994, shall continue to serve on the sentencing advisory commission at the pleasure of the governor.

(2) The commission shall study sentencing practices in the circuit courts throughout the state for the purpose of determining whether and to what extent disparities exist among the various circuit courts with respect to the length of sentences imposed and the use of probation for defendants convicted of the same or similar crimes and with similar criminal histories. The commission shall also study and examine whether and to what extent sentencing disparity among economic and social classes exists in relation to the sentence of death and if so, the reasons therefor. It shall compile statistics, examine cases, draw conclusions, and perform other duties relevant to the research and investigation of disparities in death penalty sentencing among economic and social classes.

(3) The commission shall establish a system of recommended sentences, within the statutory minimum and maximum sentences provided by law for each felony committed under the laws of this state. This system of recommended sentences shall be distributed to all sentencing courts within the state of Missouri. The recommended sentence for each crime shall take into account, but not be limited to, the following factors:

- (a) The nature and severity of each offense;
- (b) The record of prior offenses by the offender;
- (c) The data gathered by the commission showing the duration and nature of sentences imposed for each crime;

and

(d) The resources of the department of corrections and other authorities to carry out the punishments that are imposed.

(4) The commission shall publish and distribute its system of recommended sentences on or before July 1, 1995. The commission shall study the implementation and use of the system of recommended sentences until July 1, 1998, and return a final report to the governor, the speaker of the house of representatives, and the president pro tem of the senate. Following the July 1, 1998, report, the commission may revise the recommended sentences every three years.

(5) The governor shall select a chairperson who shall call meetings of the commission as required or permitted pursuant to the purpose of the sentencing commission.

(6) The members of the commission shall not receive compensation for their duties on the commission, but shall be reimbursed for actual and necessary expenses incurred in the performance of these duties and for which they are not reimbursed by reason of their other paid positions.

(7) The circuit and associate circuit courts of this state, the office of the state courts administrator, the department of public safety, and the department of corrections shall cooperate with the commission by providing information or access to information needed by the commission. The office of the state courts administrator will provide needed staffing resources.

7. If the imposition or execution of a sentence is suspended, the court may consider ordering restorative justice methods pursuant to section 217.777, RSMo, including any or all of the following, or any other method that the court finds just or appropriate:

- (1) Restitution to any victim for costs incurred as a result of the offender's actions;
- (2) Offender treatment programs;
- (3) Mandatory community services;
- (4) Work release programs in local facilities; and

(5) Community based residential and nonresidential programs; and

8. If the imposition or execution of a sentence is suspended for a misdemeanor, in addition to the provisions of subsection 7 of this section, the court may order the assessment and payment of a designated amount of money to a county crime reduction fund established by the county commission pursuant to §50.555, RSMo. Said contribution shall not exceed \$1,000 for any misdemeanor offense. Any money deposited into the county crime reduction fund pursuant to this section shall only be expended pursuant to the provisions of section 50.555 RSMo. An annual audit of the fund shall be conducted by the county auditor or the state auditor.

9.[8.] The provisions of this section shall apply only to offenses occurring on or after August 28, 1994.

559.021.1. The conditions of probation shall be such as the court in its discretion deems reasonably necessary to ensure that the defendant will not again violate the law. When a defendant is placed on probation he shall be given a certificate explicitly stating the conditions on which he is being released.

2. In addition to such other authority as exists to order conditions of probation, the court may order such conditions as the court believes will serve to compensate the victim, any dependent of the victim, or society. Such conditions may include, but shall not be limited to:

(1) Restitution to the victim or any dependent of the victim, in an amount to be determined by the judge; and
(2) The performance of a designated amount of free work for a public or charitable purpose, or purposes, as determined by the judge.

3. In addition to such other authority as exists to order conditions of probation, in the case of a plea of guilty in a misdemeanor case or finding of guilt in a misdemeanor case, the court may order the assessment and payment of a designated amount of money to a county crime reduction fund established by the county commission pursuant to §50.555, RSMo. Said contribution shall not exceed \$1,000 for any misdemeanor offense. Any money deposited into the county crime reduction fund pursuant to this section shall only be expended pursuant to the provisions of section 50.555 RSMo.

[3] 4. The defendant may refuse probation conditioned on the performance of free work. If he does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. Any county, city, person, organization, or agency, or employee of a county, city, organization or agency charged with the supervision of such free work or who benefits from its performance shall be immune from any suit by the defendant or any person deriving a cause of action from him if such cause of action arises from such supervision of performance, except for an intentional tort or gross negligence. The services performed by the defendant shall not be deemed employment within the meaning of the provisions of chapter 288, RSMo. A defendant performing services pursuant to this section shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo.

[4] 5. The court may modify or enlarge the conditions of probation at any time prior to the expiration or termination of the probation term.

6. The defendant may refuse probation conditioned on a payment to a county crime reduction fund. If he does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. A judge may order payment to a crime reduction fund only if such fund had been created prior to sentencing by ordinance or resolution of a county of the state of Missouri. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering the probationers to make payments. A defendant who fails to make a payment or payments to a crime reduction fund may not have his probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the defendant either willfully refused to make the payment or that the defendant willfully, intentionally and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.”.

Representative Ridgeway offered **House Amendment No. 1 to House Amendment No. 10.**

*House Amendment No. 1
to
House Amendment No. 10*

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 2, Section 50.555, Line 11, by deleting said lines.

On motion of Representative Ridgeway, **House Amendment No. 1 to House Amendment No. 10** was adopted.

On motion of Representative Britt, **House Amendment No. 10, as amended**, was adopted.

Representative Hosmer offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Pages 2 to 3, Section 590.135, by deleting all of said section and inserting in lieu thereof the following:

"590.100. As used in sections 590.100 to 590.180, the following terms mean:

(1) **"Bailiff", an assigned officer of the court subject to control and supervision and responsible for preserving order and decorum, taking charge of the jury, guarding prisoners and other services which are reasonably necessary for the proper functioning of the court;**

(2) "Certified training academy", any academy located within the state of Missouri which has been certified by the director to provide training programs for peace officers [in this state] **or bailiffs;**

[(2)] (3) "Chief executive officer", the chief of police, director of public safety, sheriff, department head or chief administrator of any law enforcement or public safety agency of the state or any political subdivision [thereof who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state or for violation of ordinances of a county or municipality] **of the state;**

[(3)] (4) **"Commission", when used in relation to a peace officer, bailiff, or law enforcement agency: grant of authority to act as a peace officer or bailiff by appointment, employment, or any other means;**

(5) "Director", the director of the Missouri department of public safety;

[(4)] (6) "Peace officer", [members of the state highway patrol, all] **any** state, county[, and] **or** municipal law enforcement [officers] **officer** possessing the duty and power of arrest for violation of [any criminal laws of the state] **the criminal code** or for violation of ordinances of counties or municipalities of the state [who serve full time, with pay];

[(5)] (7) **"Primary enforcement activities", activities used to enforce the police powers of the state, including, but not limited to, a direct or indirect involvement in the activities of arrest, detention, vehicular pursuit, search or interrogations;**

(8) "Reserve **peace** officer", [any person who serves in a less than full-time law enforcement capacity, with or without pay, and who, without certification, has no power of arrest and who, without certification, must be under the direct and immediate accompaniment of a certified peace officer of the same agency at all times while on duty. In a county of the first class adjoining a city not within a county, reserve peace officers may engage in all nonprimary enforcement activities without being under direct or immediate accompaniment of a certified peace officer] **a peace officer regularly working less than thirty hours per week, with or without pay.**

[590.101. In any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, the definitions contained in section 590.100 shall apply, except that as used in sections 590.100 to 590.180, the following terms shall mean:

(1) "Bailiff", an assigned officer of the court subject to control and supervision and responsible for preserving order and decorum, taking charge of the jury, guarding prisoners, and other services which are reasonably necessary for the proper functioning of the court;

(2) "Nonprimary enforcement activities", activities which include, but are not limited to, traffic control, crowd control, checking abandoned, vacated and temporarily vacated structures, conveyance of motor vehicles, public appearances, and public educational presentations;

(3) "Primary enforcement activities", activities used to enforce the police powers of the state, including, but not limited to, a direct or indirect involvement in the activities of arrest, detention, vehicular pursuit, search, interrogations or the administration of first aid; and

(4) "Reserve officer", any person who serves in a less than full-time law enforcement capacity, with or without pay, and who, without certification, has no power of arrest and who, without certification, must be under direct and immediate accompaniment of a certified peace officer of the same agency in order to engage in primary enforcement

activities.]

590.105. 1. A program of mandatory standards for the basic training and certification of peace officers [and a program of optional standards for the basic training and certification of reserve officers] in this state is hereby established. The peace officer standards and training commission shall establish the minimum number of hours [of training and], core curriculum, **and behavioral objectives for such basic training and may establish minimum physical fitness standards for successful completion of basic training.** In no event, however, shall the commission require more than one thousand hours of such training for [either] peace [or reserve] officers [employed] **commissioned** by any state law enforcement agency, or more than six hundred hours of such training for other peace [or reserve] officers; provided, however, that the minimum hours of training **for a peace officer** shall be no lower than **four hundred seventy, with the following exceptions:**

- (1) [One hundred twenty hours as of August 28, 1993;
- (2) Three hundred hours as of August 28, 1994; and
- (3) Four hundred seventy hours as of August 28, 1996.

The higher standards provided in this section for certification after August 28, 1993, shall not apply to any peace or reserve officer certified prior to August 28, 1993, or to deputies of any sheriff's department in any city not within a county requiring no more or less than one hundred twenty hours of training. Certified peace and reserve officers between January 1, 1992, and August 28, 1995, shall only meet the hours of training applicable to the year in which the officer was employed or appointed.] **Persons certified as peace officers before August 28, 1993, may retain certification with one hundred twenty hours of basic training;**

(2) Persons certified as peace officers before August 28, 1994, may retain certification with three hundred hours of basic training;

(3) Persons certified as peace officers and commissioned in a county of the third classification before July 1, 2001, may retain certification with one hundred twenty hours of certification, but only if the commissioning political subdivision adopts an order or ordinance to that effect;

(4) The peace officer standards and training commission may establish a lesser basic training standard for a limited certification for commission as a reserve peace officer with police powers restricted to the commissioning political subdivision and may place additional restrictions on the powers and duties for which such persons are certified to be commissioned.

2. Beginning on August 28, 1996, peace officers shall be required to [complete the four hundred fifty hours of training as peace officers and] be certified to be eligible for employment. [Park rangers appointed pursuant to section 64.335, RSMo, who do not carry firearms shall be exempt from the training requirements of this section.]

3. Bailiffs who are not certified peace officers shall be required to complete a minimum of sixty hours of mandated training, except that any person who has [served] **been commissioned** as a bailiff prior to January 1, 1995, **or who has been commissioned as a peace officer at any time,** shall not be required to complete the training requirements mandated by this subsection, provided such person's training or experience is deemed adequate by the peace officer standards and training commission in accordance with current standards.

4. All political subdivisions within this state may adopt standards which are higher than the minimum standards implemented pursuant to sections 590.100 to 590.180, and such minimum standards shall in no way be deemed adequate in those cases in which higher standards have been adopted.

5. [Any federal officer who has the duty and power of arrest on any federal military installation in this state may, at the option of the federal military installation in which the officer is employed, participate in the training program required under the provisions of sections 590.100 to 590.180 and, upon satisfactory completion of such training program, shall be certified by the director in the same manner provided for peace officers, as defined in section 590.100, except that the duty and power of arrest of military officers for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state shall extend only to the geographical boundaries within which the federal military installation is located. Any costs involved in the training of a federal officer shall be borne by the participating federal military installation.

6. Notwithstanding any provision of this chapter to the contrary, any peace officer who is employed by a law enforcement agency located within a county of the third classification shall be required to have no more or less than one hundred twenty hours of training for certification if the respective city or county adopts an order or ordinance to that effect.

7.] The peace officers standards and training commission with input from the department of health and the division of family services shall [provide a minimum of thirty hours of initial education to all prospective law

enforcement officers] **include within the required basic training for peace officers**, except for agents of the conservation commission, **a minimum of thirty hours of education** concerning domestic and family violence.

[8.] **6.** The course of instruction and the objectives in learning and performance for the education of law enforcement officers required pursuant to subsection [6] **5** of this section shall be developed and presented in consultation with public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence. The peace officers standards and training commission shall consider the expertise and grant money of the national council of juvenile and family court judges, with their domestic and family violence project, as well as other federal funds and grant moneys available for training.

[9.] **7.** The course of instruction shall include, but is not limited to:

(1) The investigation and management of cases involving domestic and family violence and writing of reports in such cases, including:

- (a) Physical abuse;
- (b) Sexual abuse;
- (c) Child fatalities;
- (d) Child neglect;
- (e) Interviewing children and alleged perpetrators;

(2) The nature, extent and causes of domestic and family violence;

(3) The safety of officers investigating incidents of domestic and family violence;

(4) The safety of the victims of domestic and family violence and other family and household members;

(5) The legal rights and remedies available to victims of domestic and family violence, including but not limited to rights and compensation of victims of crime, and enforcement of civil and criminal remedies;

(6) The services available to victims of domestic and family violence and their children;

(7) Sensitivity to cultural, racial and sexual issues and the effect of cultural, racial, and gender bias on the response of law enforcement officers and the enforcement of laws relating to domestic and family violence; and

(8) The provisions of applicable state statutes concerning domestic and family violence.

8. The peace officer standards and training commission may provide by rule for the reciprocal recognition of equivalent entry level core basic training at a training center by law enforcement officers of the federal government or other states or territories of the United States, and may require such additional training prior to certification as the commission deems necessary.

590.110. 1. No person shall be [appointed] **commissioned or hold a commission** as a peace officer [by any public law enforcement agency, which is possessed of the duty and power to enforce the general criminal laws of the state or the ordinances of any political subdivision of] **or bailiff in** this state, unless he **or she** has **first** been certified by the director as [provided in] **qualified pursuant to the program of minimum standards established pursuant to** sections 590.100 to 590.180, [unless he is appointed on a probationary basis, and the hiring agency, within one year after his initial appointment, takes all necessary steps to qualify him for certification by the director. Unless a peace officer is certified within the one-year period after appointment, his appointment shall be terminated and he shall not be eligible for appointment by any other law enforcement agency as a peace officer. Beginning on August 28, 1995, peace officers shall be required to complete the four hundred fifty hours of training as peace officers and be certified to be eligible for employment.] **with the following exceptions:**

(1) **No certification shall be required to seek or hold an elected county office;**

(2) **No certification shall be required to be commissioned pursuant to section 64.335, RSMo, as a park ranger not carrying a firearm;**

(3) **Certification shall not be required for any person continually commissioned as a peace officer since the effective date of this section by a political subdivision having either less than four full-time paid peace officers or a population less than two thousand, except that this exception shall not apply to any person commissioned in a county of the first class having a charter form of government;**

(4) **Certification is recommended but shall not be required for any person commissioned as a peace officer before December 31, 1978, and consistently commissioned as a full-time peace officer since that date;**

(5) **Certification is recommended but shall not be required for any reserve peace officer commissioned as a reserve peace officer before August 15, 1988, and such persons may transfer, as reserve peace officers, among similar jurisdictions without losing the benefit of this exception; provided, however, that the peace officer standards and training commission may establish training and certification requirements for such persons and may limit the powers and duties for which such persons may be commissioned;**

(6) No certification shall be required to serve in a law enforcement capacity without the power of arrest.

2. The chief executive officer of each law enforcement agency shall notify the director of the appointment of any peace [or reserve] officer not later than thirty days after the date of the appointment and include with such notification a copy of a fingerprint card verified by the Missouri state highway patrol pertaining to the results of a criminal background check of the officer appointed and evidence of the completion of the standards necessary for employment as provided in sections 590.100 to 590.180.

3. [Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a reserve officer; however, any person who serves as a reserve officer in any public law enforcement agency which is possessed of the duty and power to enforce the general criminal laws of this state or the ordinances of any political subdivision of this state may, at the option of the political subdivision in which the reserve officer is appointed, participate in the basic training program required under the provisions of sections 590.100 to 590.180, and, upon completion of such training program, shall be certified by the director in the same manner as provided for peace officers.] **Any applicant to a certified training academy shall submit a fingerprint card to the training center, along with an authorization allowing the director to conduct a criminal history background check to include the records of the Federal Bureau of Investigation. The certified training academy shall forward the fingerprint card and authorization to the director, who shall conduct a criminal history background. The certified training academy and the director may charge the applicant a fee for the cost of the criminal history check. The director may refuse to allow an applicant to complete a certified training course for conduct in violation of section 590.135.**

4. In addition to the satisfactory completion of a basic training course at a certified training academy, the director may require all persons applying for peace officer certification to pass a certification examination. The peace officer standards and training commission may promulgate rules to govern the content and administration of any such examination.

5. The director shall have the authority to issue certification to peace officers, federal law enforcement officers, or military police officers from other states or jurisdictions who are seeking certification as peace officers in this state pursuant to the rules promulgated by the peace officer standards and training commission.

[590.115. 1. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a peace officer who has been consistently employed as a full-time peace officer and was appointed before December 31, 1978, whether or not such officer changes his place of employment.

2. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a reserve officer who was appointed as a reserve officer prior to August 15, 1988. Requirements for certification of such reserve officers may be determined by the commission. A certified reserve officer may transfer from one similar jurisdiction to another as a certified reserve officer without any additional training requirements unless or until the certified reserve officer becomes or attempts to become a full-time peace officer, at which time the individual must satisfy the requirements of this chapter to become a certified full-time police officer, or unless or until the certified reserve officer attempts to become a certified reserve officer in a jurisdiction wherein the basic training requirement is higher than the previous jurisdiction's basic training requirement, at which time the individual must satisfy the higher basic training requirements of the new jurisdiction to become a certified reserve officer.

3. Except as provided in subsections 1, 2 and 4 of this section, in the event that a peace officer claims to have had prior basic training, the chief executive officer shall furnish to the director evidence that the noncertified officer has satisfactorily completed instruction in a course of basic training for peace officers conducted by a law enforcement training academy or institute which is approved by the director as providing basic training equivalent to standards set for jurisdictions within this state. The basic training course satisfactorily completed by the noncertified officer shall meet the minimum basic training requirements of the jurisdiction in which he is appointed or is to be appointed as required under the provisions of sections 590.100 to 590.180.

4. The director may certify a chief executive officer as qualified under sections 590.100 to 590.180, if the person's employer furnishes the director with evidence that the chief executive officer has training or experience equivalent to the standards set forth in subsection 1, 2, or 3 of this section or is a graduate of the FBI National Academy or its equivalent as determined by the director, or holds a bachelor of science degree in criminal justice or a related field received from an accredited college or university or a doctor of jurisprudence degree received from a college or university approved by the American Bar Association.

5. Peace officers and reserve officers meeting the basic training requirements under sections 590.100 to 590.180 shall be eligible to be certified by the director.

6. Beginning August 28, 1996, the peace officer standards and training commission shall establish a program

of continuing law enforcement education and training. Each peace officer or reserve officer subject to the training provisions of sections 590.100 to 590.180 shall participate in continuing law enforcement education to maintain certification. The providers of continuing law enforcement education and training, as well as the contents and subject matter thereof, shall be subject to the approval of the peace officer standards and training commission. The costs of the continuing law enforcement education and training offered by certified providers to persons entitled to receive such education and training shall be reimbursed by moneys from the peace officer standards and training commission fund created in section 590.178. The peace officer standards and training commission shall require by rule that all peace officers or reserve officers, subject to the training provisions herein, contribute, based on standards set by the commission, to the cost of said training.

7. The peace officer standards and training commission may provide by rule for the reciprocal recognition of equivalent entry level core basic training at a training center by law enforcement officers of the federal government or other states or territories of the United States, and may require such additional training prior to certification as the commission deems necessary.]

[590.116. 1. Within one year from the date of probationary appointment, the chief executive officer of a law enforcement agency shall furnish to the director evidence that the noncertified officer satisfactorily completed instruction in a course of training for peace officers in a certified training academy or is currently enrolled in a certified training program to be completed with the first year of employment.

2. This section shall expire on August 28, 1995.]

590.117. 1. The peace officer standards and training commission shall establish a program of continuing law enforcement education and training. Each certified peace officer shall participate in continuing law enforcement education to maintain certification. The providers of continuing law enforcement education and training, as well as the contents and subject matter thereof, shall be subject to the approval of the peace officer standards and training commission. The costs of the continuing law enforcement education and training offered by certified providers to persons entitled to receive such education and training shall be reimbursed by moneys from the peace officer standards and training commission fund created in section 590.178.

2. The department shall provide by administrative rule for the requirements for continuing certification of an inactive or unemployed peace officer during the term of such inactivity or unemployment, provided that the certification of such peace officers shall expire after five consecutive years of such inactivity or unemployment. **Notwithstanding subsection 1 of this section,** the cost of any continuing law enforcement education and training required to maintain such certification shall be paid by the inactive or unemployed peace officer.

590.130. [No] **1. Notwithstanding the provisions of subsection 2 of section 590.105 and subsection 1 of section 590.110 to the contrary,** the elected county peace officer or official shall be required, **within one year after taking office,** to be certified [under] **pursuant to** sections 590.100 to 590.180 to [seek or] hold such office, [but] **and must upon completion, file evidence with the director of the department of public safety and** all appointive deputies or assistants of such officer or official who are employed as peace officers[, provided that such county has five or more full-time peace officers,] shall be certified as a condition of appointment in the same manner as other peace officers are required to be certified. No arrest shall be deemed unlawful in any criminal or civil proceeding solely because the peace officer is not certified [under the terms of] **pursuant to** sections 590.100 to 590.180. Evidence on the question cannot be received in any civil or criminal case.

2. Beginning January 1, 2001, any elected county peace officer or official who does not comply with the provisions of subsection 1 of this section may continue to hold such office but is not authorized to participate in any primary enforcement activities as defined in section 590.100. The provisions of section 57.010, RSMo, and this section shall not apply to the sheriff of any county of the first classification with a charter form of government and a population of at least nine hundred thousand inhabitants.

590.131. **1. The chief executive officer of each law enforcement agency that commissions any peace officer shall notify the director [of a peace officer's separation from the agency, whether voluntary or involuntary, and shall set forth in detail the facts and reasons for the separation on a form to be provided by the director.] on a form adopted by the director, if a holder of any certificate issued pursuant to this chapter departs from employment or otherwise ceases to be commissioned by that agency. The departure form shall be submitted within thirty days following the departure or loss of commission.**

2. Any person or agency authorized to submit information pursuant to this section to the director shall be immune from liability arising from the submission of the information so long as the information was submitted in good faith and without negligence or malice.

3. The notice shall so state if the circumstances surrounding the departure from employment or loss of

commission included any of the following:

- (1) The officer was separated for his or her failure to meet the minimum qualifications for employment or appointment as a peace officer;
- (2) The officer was dismissed for violation of municipal, state or federal law;
- (3) The officer was dismissed for violation of the written and distributed regulations of the law enforcement agency.

4. All educational transcripts, test scores, complaints, investigatory reports, and other information retained by the department of public safety pertaining to any person who is certified pursuant to sections 590.100 to 590.180, or to an applicant for such certification are confidential and may not be disclosed to the public or any member of the public, except with written consent of the person whose records are involved. The director shall disclose the records or information if the person whose records or information is involved has consented to the disclosure. The director is entitled to the attorney-client privilege and work-product privilege to the same extent as any other person. Provided, however, that the director may disclose confidential information without the consent of the person involved in the course of voluntary interstate exchange of information, or in the course of any litigation concerning that person, or pursuant to a lawful request, or to other administrative or law enforcement agencies acting within the scope of their statutory authority. The name, currency of certification, and commissioning agency, if any, of persons certified pursuant to sections 590.100 to 590.180 and the name of applicants for such certification are not confidential information.

590.135. 1. The director or any of [his] **the director's** designated representatives may:

- (1) Visit and inspect any certified academy or training program requesting certification for the purpose of determining whether or not the minimum standards established pursuant to sections 590.100 to 590.180 are being complied with, and may issue, suspend or revoke certificates indicating such compliance;
- (2) Issue, suspend or revoke certificates for instructors [under] **pursuant to** the provisions of sections 590.100 to 590.180;
- (3) Issue or authorize the issuance of diplomas, certificates and other appropriate indicia of compliance and qualification to peace officers trained [under] **pursuant to** the provisions of sections 590.100 to 590.180.

2. The director may **singly, or in combination, warn, censure, probate,** refuse to issue, [or may] suspend or revoke [any diploma, certificate or other indicia of compliance and qualification to peace officers or bailiffs issued pursuant to subdivision (3) of subsection 1 of this section of any peace officer for the following:

- (1) Conviction of a felony including the receiving of a suspended imposition of a sentence following a plea or finding of guilty to a felony charge;
- (2) Conviction of a misdemeanor involving moral turpitude;
- (3) Falsification or a willful misrepresentation of information in an employment application, or records of evidence, or in testimony under oath;
- (4) Dependence on or abuse of alcohol or drugs;
- (5) Use or possession of, or trafficking in, any illegal substance;
- (6) Gross misconduct indicating inability to function as a peace officer, **which shall include any illegal, unauthorized or unprofessional use or release of criminal history information, criminal intelligence, confidential reports or closed records;**

(7) Failure to comply with the continuing education requirements as promulgated by rule of the peace officer standards and training commission.] **the certification of any peace officer or bailiff or refuse to admit an initial applicant to a certified training academy for any of the following reasons:**

- (1) **The person has been finally adjudicated and found guilty or has entered a plea of guilty or nolo contendere in a criminal prosecution, whether or not a sentence has been imposed, for any offense:**
 - (a) Reasonably related to the functions or duties for which that person is certified or seeking to be trained;
 - (b) An essential element of which is fraud, dishonesty, an act of violence, intimidation, or harassment;
- or

- (c) Involving moral turpitude;
- (2) **Falsification, fraud, deception, misrepresentation or bribery:**
 - (a) In securing any certificates, diplomas, other indicia of compliance and qualification pursuant to the provisions of sections 590.100 to 590.180;
 - (b) On any employment application;
 - (c) In records of evidence; or

- (d) In testimony under oath;
- (3) Use or possession of, or trafficking in, any illegal substance, or violation of the drug laws, rules or regulations of this state, or any other state or the federal government;
- (4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct, including illegal, unauthorized or unprofessional use or release of criminal history information, criminal intelligence, confidential reports or closed reports;
- (5) Failure to comply with the continuing education requirements as promulgated by rule of the peace officer standards and training commission;
- (6) Inability to serve as a certified peace officer or bailiff with reasonable safety and competency because of illness, abuse of alcohol, drugs, narcotics, chemicals, or as a result of any mental or physical condition;
- (7) Violation of a probation agreement with the department;
- (8) Final disciplinary action by any state or territory, whether agreed to voluntarily or not, including but not limited to any removal, suspension, limitation, or restriction of certificate for cause, or other final disciplinary action, if the action was in any way related to unprofessional conduct or any other act which would constitute a violation of any provision of this chapter.

3. Any person aggrieved by a decision of the director under this section may appeal as provided in chapter 536, RSMo.

4. Any person or agency authorized to submit information pursuant to this section to the director shall be immune from liability arising from the submission of the information so long as the information was submitted in good faith and without malice.

5. The director may refuse to certify any law enforcement school, academy, or training program, any law enforcement instructor or any peace officer **or bailiff** not meeting the requirements for certification [under] **pursuant to** the provisions of sections 590.100 to 590.180. **The director may establish minimum educational, age and residency requirements for certification and for entry into a certified training academy.** The director shall notify the applicant in writing of the reasons for the refusal. The applicant shall have the right to appeal the refusal by filing a complaint with the administrative hearing commission as provided by chapter 621, RSMo, and the director shall advise the applicant of this right of appeal.

6. The director shall cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any law enforcement instructor or any peace officer not in compliance with the requirements for certification [under] **pursuant to** the provisions of sections 590.100 to 590.180.

7. After the filing of the complaint, the proceeding will be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 5 of this section for disciplinary action are met, the director may revoke the certification of any such law enforcement school, academy, or training program, law enforcement instructor or any peace officer.

8. The department may, at its discretion, issue a certification subject to probation for any one or any combination of causes stated in subsection 2 of this section. If the department issues a probationary certification, the recipient may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary certification seeking review of whether cause exists to discipline the certification pursuant to subsection 2 of this section. The department's order of probation shall contain a statement of the conditions of probation imposed, the basis for such conditions of probation, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission.

9. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the department's determination shall be considered waived.

590.137. 1. Upon receipt of information that a certified peace officer or bailiff may present a clear and present danger to the public health or safety, the director may issue an order suspending or restricting, or suspending and restricting the certification of the peace officer or bailiff if the director believes that the acts, conduct, or condition of the peace officer or bailiff:

- (1) May have violated subsection 2 of section 590.135; and
- (2) Constitute a clear and present danger to the public health and safety.
- 2. (1) The order of suspension or restriction:**
 - (a) Shall be based on sworn testimony or affidavits presented to the department;
 - (b) May be issued without notice to the peace officer or bailiff and without a hearing;
 - (c) Shall include the facts that lead the department to conclude that the acts, conduct or condition of the

peace officer or bailiff constitute a clear and present danger to the public health or safety.

(2) The department or the administrative hearing commission shall serve the certificate holder, in person or by certified mail, with a copy of the order of suspension or restriction and all sworn testimony or affidavits presented to the department, a copy of the complaint and the request for expedited hearing, and a notice of the place where and the date upon which the preliminary hearing will be held. When it is not practicable to give the notice of hearing to a certificate holder in person, it may be sent to the certificate holder by certified or registered mail, return receipt requested, at the last mailing address shown in the personnel records of the last known employer. Proof of refusal of the certificate holder to accept delivery or the inability of postal authorities to deliver such mail shall be accepted as evidence that the required notice of hearing has been given.

(3) The order of restriction shall be effective upon service of the documents required in subdivision (2) of this subsection.

(4) The order of suspension shall become effective upon the entry of the preliminary order of the administrative hearing commission.

(5) The peace officer or bailiff may seek a stay order from the circuit court of Cole County from the preliminary order of suspension, pending the issuance of a final order by the administrative hearing commission.

3. The department shall file a complaint with the administrative hearing commission with a request for expedited preliminary hearing and shall certify the order of suspension or restriction and all sworn testimony or affidavits presented to the department. Immediately upon receipt of a complaint filed pursuant to this section, the administrative hearing commission shall set the place and date of the expedited preliminary hearing which shall be conducted as soon as possible, but not later than five days after the date of service upon the licensee. The administrative hearing commission shall grant the request of a peace officer for a continuance of the preliminary hearing; however, the department's order shall remain in full force and effect until the preliminary hearing, which shall be held not later than forty days after service of the documents required in subdivision (2) of subsection 2 of this section.

4. At the preliminary hearing, the administrative hearing commission shall receive into evidence all information certified by the department and shall only hear evidence on the issue of whether the department's order of suspension or restriction should be terminated or modified. Within one hour after the preliminary hearing, the administrative hearing commission shall issue its oral or written preliminary order, with or without findings of fact and conclusions of law, that either adopts, terminates or modifies the department's order. The administrative hearing commission shall reduce to writing any oral preliminary order within five business days, but the effective date of the order shall be the date orally issued.

5. The preliminary order of the administrative hearing commission shall become a final order and shall remain in effect for three years unless either party files a request for a full hearing on the merits of the complaint filed by the department within thirty days from the date of the issuance of the preliminary order of the administrative hearing commission.

6. Upon receipt of a request for full hearing, the administrative hearing commission shall set a date for hearing and notify the parties in writing of the time and place of the hearing. If a request for full hearing is timely filed, the preliminary order of the administrative hearing commission shall remain in effect until the administrative hearing commission enters an order terminating, modifying or dismissing its preliminary order or until the department issues an order of discipline following its consideration of the decision of the administrative hearing commission pursuant to section 621.110, RSMo, and subsection 3 of section 590.137.

7. Notwithstanding the provisions of this chapter or chapter 610, RSMo, or chapter 621, RSMo, to the contrary, the proceedings pursuant to this section shall be closed and no order shall be made public until it is final, for purposes of appeal.

8. The burden of proving the elements listed in subsection 2 of this section shall be upon the department of public safety.

590.138. Upon application by the department, and the necessary burden having been met, a court of general jurisdiction may grant an injunction, restraining order or other order as may be appropriate to enjoin a person from engaging in any practice or business authorized by a certificate, permit or license issued pursuant to this chapter upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of the state.

590.139. 1. The director may administer oaths, subpoena witnesses, issue subpoenas duces tecum and require production of documents and records. Subpoenas, including subpoenas duces tecum, shall be served by a person authorized to serve subpoenas of courts of record. In lieu of requiring attendance of a person to

produce original documents in response to a subpoena duces tecum, the department may require sworn copies of such documents to be filed with it or delivered to its designated representative.

2. The department may enforce its subpoenas, including subpoenas duces tecum, by applying to a circuit court of the county of the investigation, hearing or proceeding, or any county where the person resides or may be found, for an order upon any person who shall fail to obey a subpoena to show cause why such subpoena should not be enforced. The show cause order and a copy of the application shall be served upon the person in the same manner as a summons in a civil action. If the circuit court after a hearing, determines that the subpoena should be sustained and enforced, the court shall proceed to enforce the subpoena in the same manner as though the subpoena had been issued in a civil case in the circuit court.

3. In any investigation, hearing or other proceeding to determine a peace officer's or applicant's fitness to serve as a peace officer, any record relating to any peace officer or applicant shall be discoverable by the department and admissible into evidence, regardless of any statutory or common law privilege which such peace officer, applicant, record custodian might otherwise invoke. In addition, no peace officer, applicant or record custodian may withhold records or testimony bearing upon the peace officer's or applicant's fitness to practice on the grounds of privilege between the peace officer, certified reserve officer, applicant or record custodian.

4. Any person who reports or provides information to the department, or any person who assists the department, including, but not limited to, applicants, peace officers who are the subject of an investigation or serving on competency panels, record custodians, consultants, attorneys, department members, agents, employees or expert witnesses, in the course of any investigation, hearing or other proceeding conducted by or before the department pursuant to the provisions of this chapter and who does so in good faith and without negligence or malice shall not be subject to an action of civil damages as a result, and no cause of action of any nature shall arise against such person.

590.140. 1. A surcharge of two dollars may be assessed as costs in each criminal case involving violations of any county ordinance or a violation of any criminal or traffic laws of the state, including infractions, or violations of municipal ordinances, provided that no such fee shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized by the municipal government where the violation occurred. Any such surcharge shall be authorized by the county or municipality and written notice given to the supreme court of such authorization prior to December first of the year preceding the state fiscal year during which such surcharge is to be collected and disbursed in the manner provided by sections 488.010 to 488.020, RSMo. If imposed by a municipality, such surcharges shall be collected by the clerk of the municipal court responsible for collecting court costs and fines and shall be transmitted monthly to the treasurer of the municipality where the violation occurred in cases of violations of municipal ordinances. If imposed by a county, such surcharges shall be collected and disbursed as provided in sections 488.010 to 488.020, RSMo. Such surcharges shall be payable to the treasurer of the county where the violation occurred in the case of violations of the general criminal laws of the state or county ordinances. An additional surcharge in the amount of one dollar shall be assessed as provided in this section, and shall be collected and disbursed as provided in sections 488.010 to 488.020, RSMo, and payable to the state treasury to the credit of the peace officer standards and training commission fund created in section 590.178. Such surcharges shall be in addition to the court costs and fees and limits on such court costs and fees established by section 66.110, RSMo, and section 479.260, RSMo.

2. Each county and municipality shall use all funds received [under] **pursuant to** this section only to pay for the training required as provided in sections 590.100 to 590.180 or for the training of county coroners and their deputies **provided that any excess funds not allocated to pay for such training may be used to pay for additional training of peace officers or for training of other law enforcement personnel employed or appointed by the county or municipality.** No county or municipality shall retain more than one thousand five hundred dollars of such funds for each certified law enforcement officer, candidate for certification employed by that agency or a coroner and the coroner's deputies. Any excess funds shall be transmitted quarterly to the general revenue fund of the county or municipality treasury which assessed the costs.

[590.150. The provisions of sections 590.100 to 590.180 shall not apply to a political subdivision having a population of less than two thousand persons or which does not have at least four full-time paid peace officers unless such political subdivision is located in a county of the first class having a charter form of government; provided, however, the governing body of the political subdivision may by order or ordinance elect to come under the provisions of sections 590.100 to 590.180 or such election may be later rescinded and, provided further, that upon election to come

under the provisions of sections 590.100 to 590.180 the political subdivision shall be entitled to authorize the fees allowed by section 590.140, otherwise, such fees shall not be collected.]

[590.170. 1. The director shall consult with Missouri sheriffs and their professional organizations and after such consultation shall formulate a training program for persons elected for the first time to the office of sheriff for the purpose of developing improved law enforcement procedures throughout the state.

2. The training program shall consist of at least one hundred twenty hours of instruction covering all major phases of law enforcement with emphasis on the duties and responsibilities of sheriffs.]

[590.175. 1. Any person who is elected to his first term as sheriff in a general election or in a special election in any county of this state shall, within eighteen months of such election, cause to be filed with the presiding circuit judge of the county and director of the department of public safety proof that he has completed the training program formulated pursuant to sections 590.170 and 590.175 or some other comparable training program of not less than one hundred twenty hours instruction approved by the director of the department of public safety.

2. Whether any person elected to his first term as sheriff attends such a training program prior to or after assuming the duties of his office shall be left to the discretion of the governing body of the county from which he was elected. During the time that a sheriff-elect is enrolled in such a training program, he shall be hired as a county employee and receive as full compensation from the county from which he was elected, compensation at a rate equal to that of the sheriff of the county. Tuition and room and board for newly elected sheriffs and sheriffs-elect enrolled in such a training program shall be paid by the state.]

590.180. 1. Any person who purposely violates any of the provisions of section 590.110, 590.115 [or 590.175], **590.140 or 590.178** is guilty of a class B misdemeanor.

2. **A person commits a class B misdemeanor if, in violation of sections 590.100 to 590.180, such person knowingly:**

(1) Commissions or continues the commission of a peace officer or bailiff not certified as such by the director; or

(2) Accepts a commission as, or otherwise acts as, a peace officer or bailiff without being certified as such by the director.

3. Any law enforcement agency which employs a peace officer who is not certified as required by sections 590.100 to 590.180 or who is otherwise in violation of any provision of sections 590.100 to 590.180 shall not be eligible to receive state or federal funds which would otherwise be paid to it for purposes of training and certifying peace officers or for other law enforcement, safety or criminal justice purposes."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Hosmer, **House Amendment No. 11** was adopted.

Representative Bennett offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 4, Section 650.010, Line 33, by inserting the following at the end of said section:

"Section 1. No local law enforcement agency may adopt a rule requiring residency of its law enforcement officers"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bennett, **House Amendment No. 12** was adopted.

Representative Ballard offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 813, Page 4, Section 650.010, Line 33, by inserting at the end of said section the following:

“6. The state shall reimburse municipalities for any new or increased activities or service beyond that required by existing law as required by Article X, Section 21, of the Missouri Constitution.”.

On motion of Representative Ballard, **House Amendment No. 13** was adopted.

Representative Crump moved the previous question on the adoption of **HCS SS SB 813, as amended**.

Which motion was adopted by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 071

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Shields	Summers	Surface	Tudor
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Berkstresser	Franklin	Pryor	Secrest	Stokan
Townley	Vogel			

VACANCIES: 001

On motion of Representative Kissell, **HCS SS SB 813, as amended**, was adopted.

Representative Summers requested that **HCS SS SB 813, as amended**, be referred to the Committee on Fiscal Review.

Which motion was defeated.

Speaker Gaw resumed the Chair.

On motion of Representative Kissell, **HCS SS SB 813, as amended**, was read the third time and passed by the following vote:

AYES: 113

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Bonner
Boucher 48	Bray 84	Britt	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Gambaro	George	Gibbons	Graham 106
Graham 24	Green	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hegeman	Hendrickson
Hickey	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Levin
Liese	Loudon	Luetkemeyer	Luetkenhaus	May 108
Mays 50	McKenna	McLuckie	Merideth	Monaco
Murray	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Ransdall
Reid	Reinhart	Relford	Reynolds	Rizzo
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Thompson	Treadway	Tudor	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 42	Wright	Mr. Speaker		

NOES: 037

Bartelsmeyer	Boatright	Boykins	Burton	Days
Elliott	Foster	Fraser	Froelker	Gaskill
Griesheimer	Hartzler 123	Hartzler 124	Hohulin	Holand
Howerton	Kelley 47	Legan	Linton	Lograsso
Long	Marble	McBride	McClelland	Miller
Nordwald	Phillips	Pouche 30	Purgason	Ridgeway
Riley	Robirds	Sallee	Schilling	Scott
Surface	Troupe			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 011

Franklin
Pryor
Wilson 25

Gratz
Richardson

Hilgemann
Stokan

Kasten
Townley

Murphy
Vogel

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Hickey moved that motion lay on the table.

The latter motion prevailed.

SENATE BILL FOR THIRD READING - INFORMAL

HCS SB 856, relating to regulation of managed care, was taken up by Representative Harlan.

Representative Auer raised a point of order that the **House Committee Substitute** goes beyond the scope of the original bill.

The Chair ruled the point of order not well taken.

Representative Harlan offered **HS HCS SB 856**.

Representative Harlan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, Page 15, Section 376.419, Line 21, by deleting the word "**Employment**" on said line and inserting in lieu thereof the word "**Employee**"; and

Further amend said bill, Pages 16-24, Section 376.426, by deleting all of said section from the bill; and

Further amend said bill, Page 41, Section 376.1406, Line 22, by deleting all of said line and inserting in lieu thereof the following: "**provider to whom the insured was referred**"; and

Further amend said bill, Page 43, Section 1, Lines 1-2, by deleting the following: "**or a continuing care community, as defined in section 197.305, RSMo,**"; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Harlan, **House Amendment No. 1** was adopted.

Representative Hanaway requested a division of the question on **HS HCS SB 856**.

Representative Harlan offered **House Amendment No. 1 to Part I of HS HCS SB 856.**

*House Amendment No. 1
to
Part I*

AMEND Part I of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 10, Section 376.383, Lines 14-23, by deleting all of said lines; and

Further amend said bill, Page 11, Section 376.383, Lines 1-18, by deleting all of said lines and inserting in lieu thereof the following:

"addition to other remedies provided by law, a person who has filed a claim for reimbursement for a health care service, as defined in section 376.1350, may file a civil action against the health carrier for any violation of this section. If the court finds that a violation of this section has occurred, the court shall award to a prevailing plaintiff a penalty of five hundred dollars per day from the date that interest pursuant to this section first becomes due, in addition to the claimed reimbursement and interest."

Representative Gibbons offered **House Substitute Amendment No. 1 for House Amendment No. 1 to Part I of HS HCS SB 856.**

*House Substitute Amendment No. 1
for
House Amendment No. 1
to
Part I*

AMEND Part I of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 10, Section 376.383, Lines 14-23, by deleting all of said lines; and

Further amend said bill, Page 11, Section 376.383, Lines 1-18, by deleting all of said lines and inserting in lieu thereof the following:

"addition to other remedies provided by law, a person who has filed a claim for reimbursement for a health care service, as defined in section 376.1350, may file a civil action against the health carrier for any violation of this section. If the court finds that a violation of this section has occurred, the court shall award to a prevailing plaintiff a penalty of fifty dollars per day from the date that interest pursuant to this section first becomes due, in addition to the claimed reimbursement and interest."

HCS SB 856, with House Substitute Amendment No. 1 for House Amendment No. 1 to Part I of HS, as amended, House Amendment No. 1 to Part I of HS, as amended, Part II, Part III, Part IV and Part V of HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1321.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1591** and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HS HCS HB 1742: Representatives Gaw, Koller, Green, Ostmann and Patek

SCS HCS HB 1591: Representatives Backer, Hoppe, Days, Griesheimer and Richardson

Representative Smith resumed the Chair.

THIRD READING OF SENATE BILL - INFORMAL

HCS SB 856, with House Substitute Amendment No. 1 for House Amendment No. 1 to Part I of HS, as amended, House Amendment No. 1 to Part I of HS, as amended, Part II, Part III, Part IV and Part V of HS, as amended, pending, relating to regulation of managed care, was again taken up by Representative Harlan.

On motion of Representative Gibbons, **House Substitute Amendment No. 1 for House Amendment No. 1 to Part I of HS HCS SB 856** was adopted.

Representative Murray offered **House Amendment No. 2 to Part I of HS HCS SB 856.**

*House Amendment No. 2
to
Part I*

AMEND Part I of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 8, Section 354.603, Line 12, by inserting after said line the following:

"354.618. 1. A health carrier shall be required to offer as an additional health plan, an open referral health plan whenever it markets a gatekeeper group plan as an exclusive or full replacement health plan offering to a group contract holder:

(1) In the case of group health plans offered to employers of fifty or fewer employees, the decision to accept or reject the additional open referral plan offering shall be made by the group contract holder. For health plans marketed to employers of over fifty employees, the decision to accept or reject shall be made by the employee;

(2) Contracts currently in existence shall offer the additional open referral health plan at the next annual renewal after August 28, 1997; however, multi-year group contracts need not comply until the expiration of their current multi-year term unless the group contract holder elects to comply before that time;

(3) If an employer provides more than one health plan to its employees and at least one is an open referral plan, then all health benefit plans offered by such employer shall be exempt from the requirements of this section.

2. For the purposes of this [act] **section**, the following terms shall mean:

(1) "Open referral plan", a plan in which the enrollee is allowed to obtain treatment for covered benefits without a referral from a primary care physician from any person licensed to provide such treatment;

(2) "Gatekeeper group plan", a plan in which the enrollee is required to obtain a referral from a primary care

professional in order to access specialty care.

3. Any health benefit plan provided pursuant to the Medicaid program shall be exempt from the requirements of this section.

4. [A health carrier shall have a procedure by which a female enrollee may seek the health care services of an obstetrician/gynecologist at least once a year without first obtaining prior approval from the enrollee's primary care provider if the benefits are covered under the enrollee's health benefit plan, and the obstetrician/gynecologist is a member of the health carrier's network.] **A health carrier shall not require as a condition to the coverage of the services of a participating obstetrician or a participating gynecologist that a covered person first obtain a referral from a primary care provider. The covered person shall, at all times, have direct access to the services of a participating obstetrician or a participating gynecologist of her choice. For purposes of this subsection, an obstetrician or gynecologist is defined as a physician licensed pursuant to chapter 334, RSMo, and is board eligible or board certified by the American board of obstetricians and gynecologists. The services covered by this subsection shall be limited to those services defined by the published recommendations of the accreditation council for graduate medical education for training an obstetrician or gynecologist, including, but not limited to, diagnosis, treatment and referral. A health carrier shall not impose a surcharge, or additional copayments or deductibles upon any covered person who seeks or receives health care services pursuant to this subsection, unless similar surcharges, or additional copayments or deductibles are imposed for other types of health care services received within the network.** In no event shall a health carrier be required to permit an enrollee to have health care services delivered by a nonparticipating obstetrician/gynecologist. [An obstetrician/gynecologist who delivers health care services directly to an enrollee shall report such visit and health care services provided to the enrollee's primary care provider. A health carrier may require an enrollee to obtain a referral from the primary care physician, if such enrollee requires more than one annual visit with an obstetrician/gynecologist.]

5. Except for good cause, a health carrier shall be prohibited from discriminating between eye care providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses. For the purposes of this section, an eye care provider may be either an optometrist licensed pursuant to chapter 336, RSMo, or a physician who specializes in ophthalmologic medicine, licensed pursuant to chapter 334, RSMo.

6. Nothing contained in this section shall be construed as to require a health carrier to pay for health care services not provided for in the terms of a health benefit plan.

7. Any health carrier, which is sponsored by a federally qualified health center and is presently in existence and which has been in existence for less than three years shall be exempt from this section for a period not to exceed two years from August 28, 1997.

8. A health carrier shall not be required to offer the direct access rider for a group contract holder's health benefit plan if the health benefit plan is being provided pursuant to the terms of a collective bargaining agreement with a labor union, in accordance with federal law and the labor union has declined such option on behalf of its members.

9. Nothing in this [act] **section** shall be construed to preempt the employer's right to select the health care provider pursuant to section 287.140, RSMo, in a case where an employee incurs a work-related injury covered by the provisions of chapter 287, RSMo.

10. Nothing contained in this [act] **section** shall apply to certified managed care organizations while providing medical treatment to injured employees entitled to receive health benefits [under] **pursuant to the provisions of** chapter 287, RSMo, pursuant to contractual arrangements with employers, or their insurers, [under] **pursuant to** section 287.135, RSMo."; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Barry offered **House Substitute Amendment No. 1 for House Amendment No. 2 to Part I of HS HCS SB 856.**

*House Substitute Amendment No. 1
for
House Amendment No. 2
to
Part I*

AMEND Part I of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 8, Section 354.603, Line 12, by inserting after said line the following:

"354.618. 1. A health carrier shall be required to offer as an additional health plan, an open referral health plan whenever it markets a gatekeeper group plan as an exclusive or full replacement health plan offering to a group contract holder:

(1) In the case of group health plans offered to employers of fifty or fewer employees, the decision to accept or reject the additional open referral plan offering shall be made by the group contract holder. For health plans marketed to employers of over fifty employees, the decision to accept or reject shall be made by the employee;

(2) Contracts currently in existence shall offer the additional open referral health plan at the next annual renewal after August 28, 1997; however, multi-year group contracts need not comply until the expiration of their current multi-year term unless the group contract holder elects to comply before that time;

(3) If an employer provides more than one health plan to its employees and at least one is an open referral plan, then all health benefit plans offered by such employer shall be exempt from the requirements of this section.

2. For the purposes of this [act] **section**, the following terms shall mean:

(1) "Open referral plan", a plan in which the enrollee is allowed to obtain treatment for covered benefits without a referral from a primary care physician from any person licensed to provide such treatment;

(2) "Gatekeeper group plan", a plan in which the enrollee is required to obtain a referral from a primary care professional in order to access specialty care.

3. Any health benefit plan provided pursuant to the Medicaid program shall be exempt from the requirements of this section.

4. [A health carrier shall have a procedure by which a female enrollee may seek the health care services of an obstetrician/gynecologist at least once a year without first obtaining prior approval from the enrollee's primary care provider if the benefits are covered under the enrollee's health benefit plan, and the obstetrician/gynecologist is a member of the health carrier's network.] **A health carrier shall not require as a condition to the coverage of the services of a participating obstetrician or a participating gynecologist that a covered person first obtain a referral from a primary care provider. The covered person shall, at all times, have direct access to the services of a participating obstetrician or a participating gynecologist of her choice within the provider network. For purposes of this subsection, an obstetrician or gynecologist is defined as a physician licensed pursuant to chapter 334, RSMo, and is board eligible or board certified by the American board of obstetricians and gynecologists. The services covered by this subsection shall be limited to those services defined by the published recommendations of the accreditation council for graduate medical education for training an obstetrician or gynecologist, including, but not limited to, diagnosis, treatment and referral. A health carrier shall not impose a surcharge, or additional copayments or deductibles upon any covered person who seeks or receives health care services pursuant to this subsection, unless similar surcharges, or additional copayments or deductibles are imposed for other types of health care services received within the network.** In no event shall a health carrier be required to permit an enrollee to have health care services delivered by a nonparticipating obstetrician/gynecologist. [An obstetrician/gynecologist who delivers health care services directly to an enrollee shall report such visit and health care services provided to the enrollee's primary care provider. A health carrier may require an enrollee to obtain a referral from the primary care physician, if such enrollee requires more than one annual visit with an obstetrician/gynecologist.]

5. Except for good cause, a health carrier shall be prohibited from discriminating between eye care providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses. For the purposes of this section, an eye care provider may be either an optometrist licensed pursuant to chapter 336, RSMo, or a physician who specializes in ophthalmologic medicine, licensed pursuant to chapter 334, RSMo.

6. Nothing contained in this section shall be construed as to require a health carrier to pay for health care services not provided for in the terms of a health benefit plan.

7. Any health carrier, which is sponsored by a federally qualified health center and is presently in existence and which has been in existence for less than three years shall be exempt from this section for a period not to exceed two years from August 28, 1997.

8. A health carrier shall not be required to offer the direct access rider for a group contract holder's health benefit plan if the health benefit plan is being provided pursuant to the terms of a collective bargaining agreement with a labor union, in accordance with federal law and the labor union has declined such option on behalf of its members.

9. Nothing in this [act] **section** shall be construed to preempt the employer's right to select the health care provider pursuant to section 287.140, RSMo, in a case where an employee incurs a work-related injury covered by the provisions of chapter 287, RSMo.

10. Nothing contained in this [act] **section** shall apply to certified managed care organizations while providing medical treatment to injured employees entitled to receive health benefits [under] **pursuant to the provisions of** chapter 287, RSMo, pursuant to contractual arrangements with employers, or their insurers, [under] **pursuant to** section 287.135, RSMo."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Barry, **House Substitute Amendment No. 1 for House Amendment No. 2 to Part I of HS HCS SB 856** was adopted.

Representative Boucher offered **House Amendment No. 3 to Part I of HS HCS SB 856**.

Representative Harlan raised a point of order that **House Amendment No. 3 to Part I of HS HCS SB 856** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Patek offered **House Amendment No. 3 to Part I of HS HCS SB 856**.

*House Amendment No. 3
to
Part I*

AMEND Part I of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 6, Section 354.548, Lines 3-4, by deleting all of said lines, and replacing in lieu thereof the following: "**statements.**".

Representative Patek moved that **House Amendment No. 3 to Part I of HS HCS SB 856** be adopted.

Which motion was defeated.

Representative Leake offered **House Amendment No. 4 to Part I of HS HCS SB 856**.

House Amendment No. 4 to Part I of HS HCS SB 856 was withdrawn.

Representative Richardson offered **House Amendment No. 4 to Part I of HS HCS SB 856**.

House Amendment No. 4
to
Part I

AMEND Part I of House Substitute for House Committee Substitute for Senate Bill No. 856, Pages 5-6, Section 354.603.1(3), Lines 20-24 on Page 5, and Lines 1-4 on Page 6, by striking all of said lines.

Representative Monaco raised a point of order that **House Amendment No. 4 to Part I of HS HCS SB 856** is dilatory.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Richardson moved that **House Amendment No. 4 to Part I of HS HCS SB 856** be adopted.

Which motion was defeated by the following vote:

AYES: 039

Akin	Alter	Auer	Ballard	Bartelsmeyer
Blunt	Burton	Champion	Crawford	Elliott
Foster	Graham 106	Gross	Hanaway	Hegeman
Hohulin	Kasten	Kelley 47	King	Klindt
Legan	Linton	Lograsso	Long	Marble
Murphy	Myers	Nordwald	Ostmann	Patek
Pouche 30	Purgason	Richardson	Ridgeway	Schwab
Scott	Summers	Surface	Wright	

NOES: 115

Abel	Backer	Barnett	Barry 100	Bartle
Bennett	Berkowitz	Black	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Chrismer	Cierpiot	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 24	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Levin	Liese
Loudon	Luetkemeyer	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Naeger	O'Connor	O'Toole
Overschmidt	Parker	Phillips	Pryor	Ransdall
Reid	Reinhart	Relford	Reynolds	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Secrest	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 001

Shields

ABSENT WITH LEAVE: 007

Berkstresser	Dougherty	Franklin	Luetkenhaus	Stokan
Townley	Troupe			

VACANCIES: 001

HCS SB 856, with Part I, as amended, Part II, Part III, Part IV and Part V of HS, as amended, pending, was laid over.

MOTION

Representative Koller moved that Rule 26 be suspended to allow the conferees to meet on **SCS HS HCS HB 1742** at 5:30 p.m. this day.

Which motion was adopted by the following vote:

AYES: 146

Akin	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Britt	Brooks	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Luetkemeyer
Marble	May 108	Mays 50	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 006

Hendrickson	Hohulin	Lograsso	Loudon	McBride
Murphy				

PRESENT: 000

ABSENT WITH LEAVE: 010

Abel	Berkstresser	Boykins	Bray 84	Franklin
Luetkenhaus	Purgason	Stokan	Townley	Wright

VACANCIES: 001

THIRD READING OF SENATE BILL - INFORMAL

HCS SB 856, with Part I, as amended, Part II, Part III, Part IV and Part V of HS, as amended, pending, relating to regulation of managed care, was again taken up by Representative Harlan.

Representative Leake offered **House Amendment No. 5 to Part I of HS HCS SB 856**.

*House Amendment No. 5
to
Part I*

AMEND Part I of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 11, Section 376.383, Line 18, by inserting immediately after said line the following:

“7. In the event that any person licensed under section 190.001 to 190.245, RSMo, provides emergency transportation services to any enrollee or insured, the enrollee or insured’s health carrier shall pay for such emergency transportation services within forty-five days after receipt for a claim for reimbursement. In the event that a health carrier does not have a contract in place with the licensed person providing such emergency transportation services, the health carrier will be obligated to pay the licensed person’s usual and customary charge for the emergency service rendered.”.

On motion of Representative Leake, **House Amendment No. 5 to Part I of HS HCS SB 856** was adopted.

On motion of Representative Harlan, **Part I of HS HCS SB 856, as amended**, was adopted by the following vote:

AYES: 153

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields

Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 002

Auer Murphy

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer	Berkstresser	Franklin	Luetkenhaus	Stokan
Townley	Wright			

VACANCIES: 001

Representative Harlan offered **House Amendment No. 1 to Part II of HS HCS SB 856.**

*House Amendment No. 1
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 12, Section 376.384, Line 21, by adding after the word "**services**" the following:

"for which the health care professional is contracted to provide".

On motion of Representative Harlan, **House Amendment No. 1 to Part II of HS HCS SB 856** was adopted.

Representative Days offered **House Amendment No. 2 to Part II of HS HCS SB 856.**

*House Amendment No. 2
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 11, Section 376.384, Line 24, by deleting the word "**authorized**" and inserting in lieu thereof the word "**certified**".

On motion of Representative Days, **House Amendment No. 2 to Part II of HS HCS SB 856** was adopted.

Representative Harlan offered **House Amendment No. 3 to Part II of HS HCS SB 856.**

*House Amendment No. 3
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 12, Section 376.384, Lines 4-6, by deleting all of said lines and inserting in lieu thereof the following:

"(3) Effective January 1, 2002, all claims for reimbursement filed with health carriers by health care providers that are submitted electronically shall be filed in a form and format specified by the Department of Insurance. The Department of Insurance shall promulgate rules specifying the form and format governing such electronic claims submission consistent with federal administrative simplification standards adopted pursuant to the Health Insurance Portability and Accountability Act of 1996;

(4) Issue within 24 hours, for all claims filed electronically, confirmation of receiving a claim for reimbursement;" and

Further amend said section by renumbering the subsequent subdivisions accordingly.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 3 to Part II of HS HCS SB 856.**

*House Substitute Amendment No. 1
for
House Amendment No. 3
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 12, Section 376.384, Lines 4-6, by deleting all of said lines and inserting in lieu thereof the following:

"(3) Effective January 1, 2002, accept claims for reimbursement from health care providers that are filed electronically. Effective January 1, 2002, all claims for reimbursement filed with health carriers by health care providers that are submitted electronically shall be filed in a form and format specified by the Department of Insurance. The Department of Insurance shall promulgate rules specifying the form and format governing such electronic claims submission consistent with federal administrative simplification standards adopted pursuant to the Health Insurance Portability and Accountability Act of 1996;

(4) Issue within 24 hours, for all claims filed electronically, confirmation of receiving a claim for reimbursement;" and

Further amend said section by renumbering the subsequent subdivisions accordingly.

On motion of Representative Shields, **House Substitute Amendment No. 1 for House Amendment No. 3 to Part II of HS HCS SB 856** was adopted.

Representative McLuckie offered **House Amendment No. 4 to Part II of HS HCS SB 856.**

*House Amendment No. 4
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 13, Section 376.384, Line 11, by inserting after said line the following:

"5. A health carrier shall issue to each enrollee an enrollee card which includes a telephone number for the plan and a brief description of the enrollee's type of health care plan. Such description shall include, but not be limited to, terms such as preferred provider organization, point of service, health maintenance organization or indemnity plan."

Representative Harlan offered **House Substitute Amendment No. 1 for House Amendment No. 4 to Part II of HS HCS SB 856**.

*House Substitute Amendment No. 1
for
House Amendment No. 4
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 13, Section 376.384, Line 11, by inserting after said line the following:

"5. A health carrier shall issue to each enrollee an enrollee card which includes a telephone number for the plan, prescription drug information and a brief description of the enrollee's type of health care plan. Such description shall include, but not be limited to, terms such as preferred provider organization, point of service, health maintenance organization or indemnity plan. Such enrollee card shall be reissued upon any change in the enrollee's benefits or coverage that impacts the information included on the card."; and

Further amend said bill, Page 13, Section 376.384, Line 12, by deleting the number "5" on said line and inserting in lieu thereof the number "6".

On motion of Representative Harlan, **House Substitute Amendment No. 1 for House Amendment No. 4 to Part II of HS HCS SB 856** was adopted.

Representative Hanaway offered **House Amendment No. 5 to Part II of HS HCS SB 856**.

*House Amendment No. 5
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 16, Section 376.419.3, Lines 1-5, by deleting all of said lines, and inserting in lieu thereof the following:

"Any contract between a health care provider and a health carrier entered into after the effective date of this section shall include a clause that states that each party shall be responsible for any and all claims, liabilities, damages or judgments which may arise as a result of its own negligence or intentional wrongdoing. Each party signatory to the contract shall hold harmless and indemnify the other party against any claims, liabilities, damages or judgments which may be asserted against, imposed upon or incurred by the other party as a result of the first party's negligence or intentional wrongdoing."

On motion of Representative Hanaway, **House Amendment No. 5 to Part II of HS HCS SB 856** was adopted.

Representative Hanaway offered **House Amendment No. 6 to Part II of HS HCS SB 856**.

House Amendment No. 6
to
Part II

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 15, Section 376.419, Line 18, by deleting the period after the word “liability” and inserting in lieu thereof the following:

“except that nothing in this section shall be construed to apply to any clause in the contract prohibiting providers from balance billing the enrollee or his or her family for any amount in excess of the amount provided for in the contract between the provider and the carrier.”.

On motion of Representative Hanaway, **House Amendment No. 6 to Part II of HS HCS SB 856** was adopted.

Representative Troupe offered **House Amendment No. 7 of Part II to HS HCS SB 856.**

House Amendment No. 7
to
Part II

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 15, Line 13, Section 376.406, by adding the following two new sections:

“Section 1. The division of medical services shall use the same reimbursement rate for all pharmacies participating in the Medicaid program on a fee-for-services basis.

Section 2. No policy, contract or plan shall permit or mandate any difference in coverage or impose any different conditions, including, but not limited to, copayments, deductibles or coinsurance or the number of days for the supply of the drug, whether the prescription benefits are provided through direct contact with a pharmacy or by use of a mail order pharmacy so long as the provider selected is a participant in the plan involved.”.

On motion of Representative Troupe, **House Amendment No. 7 to Part II of HS HCS SB 856** was adopted.

Representative Auer offered **House Amendment No. 8 to Part II of HS HCS SB 856.**

House Amendment No. 8
to
Part II

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 13, Section 376.384.3, Line 6, by inserting after said line the following:

“4. All providers shall provide access on the Internet a listing of all of the plans in which they participate. Such listing shall be kept current to provide consumers an up-to-date listing of which plans the provider services.”; and

Further amend said bill, by renumbering the remaining subsections accordingly.

On motion of Representative Auer, **House Amendment No. 8 to Part II of HS HCS SB 856** was adopted.

Representative Holand offered **House Amendment No. 9 to Part II of HS HCS SB 856**.

*House Amendment No. 9
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 13, Section 376.384, Line 11, by inserting after the word “understand,” the following new subsection:

“5. An Insurer shall, upon request, promptly provide information to policy holders regarding claims history, claim status, amounts paid, dates and related information.”; and

Renumber subsections **5.** to **6.** accordingly.

On motion of Representative Holand, **House Amendment No. 9 to Part II of HS HCS SB 856** was adopted.

Representative Richardson offered **House Amendment No. 10 to Part II of HS HCS SB 856**.

*House Amendment No. 10
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 13, Section 376.384.2, Line 2, by striking the word “six” and inserting in lieu thereof the word “**twelve**”.

On motion of Representative Richardson, **House Amendment No. 10 to Part II of HS HCS SB 856** was adopted.

Representative Elliott offered **House Amendment No. 11 to Part II of HS HCS SB 856**.

*House Amendment No. 11
to
Part II*

AMEND Part II of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 14, Section 376.410, Line 21, by deleting the word “thirty-one” and inserting in lieu thereof the word “**ten**”.

On motion of Representative Elliott, **House Amendment No. 11 to Part II of HS HCS SB 856** was adopted.

Speaker Gaw resumed the Chair.

On motion of Representative Harlan, **Part II of HS HCS SB 856, as amended**, was adopted by the following vote:

AYES: 136

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Black	Blunt	Bonner	Boucher 48	Boykins

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Britt	Brooks	Burton	Campbell	Champion
Chrismer	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Levin
Liese	Linton	Loudon	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Riley	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Surface	Thompson	Troupe
Tudor	Van Zandt	Vogel	Wagner	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright

NOES: 014

Auer	Boatright	Crawford	Elliott	Foster
Hendrickson	Hohulin	Legan	Lograsso	Luetkemeyer
Murphy	Richardson	Summers	Ward	

PRESENT: 000

ABSENT WITH LEAVE: 012

Bartelsmeyer	Berkstresser	Bray 84	Cierpiot	Froelker
Long	Luetkenhaus	Ridgeway	Sallee	Stokan
Townley	Treadway			

VACANCIES: 001

HCS SB 856, with Part III, Part IV and Part V of HS, as amended, pending, was laid over.

CONFERENCE COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Scheve is no longer a member of the Conference Committee on SCS HCS HB 1105.

Representative Williams (159) is no longer a member of the Conference Committee on SCS HCS HB 1106.

Representative Williams (159) is no longer a member of the Conference Committee on SCS HCS HB 1107.

Representative Days is no longer a member of the Conference Committee on SCS HCS HB 1108.

Representative Lakin is no longer a member of the Conference Committee on SCS HCS HB 1109.

Representative Scheve is no longer a member of the Conference Committee on SCS HCS HB 1110.

Representative Lakin is no longer a member of the Conference Committee on SCS HCS HB 1111.

Representative Franklin has been appointed a member of the Conference Committees on SCS HCS HB 1105, SCS HCS HB 1106, SCS HCS HB 1107, SCS HCS HB 1108, SCS HCS HB 1109, SCS HCS HB 1110, and SCS HCS HB 1111.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1102**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1102, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1102.
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1102.
3. That the attached Conference Committee Substitute for House Bill No. 1102, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Steve Gaw
/s/ Scott Lakin
/s/ Ken Legan
/s/ Daniel Hegeman

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1103**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1103, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1103.
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1103.
3. That the attached Conference Committee Substitute for House Bill No. 1103, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Deleta Williams
/s/ Scott Lakin
/s/ Ken Legan
/s/ Daniel Hegeman

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1104**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1104, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1104.
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1104.
3. That the attached Conference Committee Substitute for House Bill No. 1104, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Deleta Williams
/s/ Timothy P. Green
/s/ Ken Legan
/s/ Chuck Gross

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1105**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1105, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1105.
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1105.
3. That the attached Conference Committee Substitute for House Bill No. 1105, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Deleta Williams
/s/ Timothy P. Green
/s/ Ken Legan
/s/ Daniel Hegeman

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1106**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1106, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1106.

2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1106.

3. That the attached Conference Committee Substitute for House Bill No. 1106, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Deleta Williams
/s/ May Scheve
/s/ Ken Legan
/s/ Daniel Hegeman

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1107**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1107, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1107.

2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1107.

3. That the attached Conference Committee Substitute for House Bill No. 1107, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Deleta Williams
/s/ May Scheve
/s/ Ken Legan
/s/ Emmy McClelland

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1108**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1108, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1108.
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1108.
3. That the attached Conference Committee Substitute for House Bill No. 1108, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Deleta Williams
/s/ Scott Lakin
/s/ Ken Legan
/s/ Bill Foster

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1109**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1109, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1109.
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1109.
3. That the attached Conference Committee Substitute for House Bill No. 1109, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Charles “Quincy” Troupe
/s/ Glenda Kelly
/s/ Ken Legan

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SS SJR 31 - Critical Issues

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SBs 538 & 565 - Transportation

SCS SBs 959 & 598 - Critical Issues

COMMITTEE REPORTS

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **SS#2 SCS SBs 934, 546, 578, 579 & 782**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Public Safety and Law Enforcement, Chairman Kissell reporting:

Mr. Speaker: Your Committee on Public Safety and Law Enforcement, to which was referred **SS SCS SB 763**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ways and Means, Chairman Bray reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCR 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SB 549, as amended**, and requests that the House recede from its position, and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1077**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1284**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1454**, entitled:

An act to repeal section 260.285, RSMo Supp. 1999, relating to environmental control, and to enact in lieu thereof one new section relating to environmental control tax incentives, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HB 1591**: Senators Howard, Clay, Staples, Childers and Sims.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1631**, entitled:

An act to repeal sections 311.510, 311.540 and 312.210, RSMo 1994, and sections 311.070 and 311.485, RSMo Supp. 1999, relating to liquor control, and to enact in lieu thereof five new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 719** and has taken up and passed **HCS SCS SB 719**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1142**, entitled:

An act to repeal sections 407.850 and 407.870, RSMo 1994, and sections 304.170 and 304.200, RSMo Supp. 1999, relating to the regulation of farm equipment, and to enact in lieu thereof four new sections relating to the same subject.

With Senate Amendment No. 1 and Senate Amendment No. 2

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1142, Page 1, In the Title, Line 3, by striking "the regulation of farm equipment" and inserting in lieu thereof the following: "**motor vehicles**"; and

Further amend said bill and page, Section A, Line 4, by inserting after all of said line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, RSMo, and sections 307.010 to 307.175, RSMo, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of six hundred pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation", the movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(12) "Dromedary", a truck-tractor designed for drawing other vehicles and which may carry part of a load when operating independently. When attached to a semi-trailer, it supports a part of the weight thereof;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

[(13)] (14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

[(14)] (15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

[(15)] (16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

[(16)] (17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

[(17)] (18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

[(18)] (19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

[(19)] (20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

[(20)] (21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

[(21)] (22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

[(22)] (23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

[(23)] (24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of twenty-five miles from its home base of operations when

transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

[(24)] **(25)** "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

[(25)] **(26)** "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a fifty-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and is not operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, does not have more than four axles and does not pull a trailer which has more than two axles. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

[(26)] **(27)** "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, RSMo, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

[(27)] **(28)** "Log truck", a vehicle which is not a local log truck and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

[(28)] **(29)** "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

[(29)] **(30)** "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

[(30)] **(31)** "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

[(31)] **(32)** "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

[(32)] **(33)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

[(33)] **(34)** "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

[(34)] **(35)** "Motorcycle", a motor vehicle operated on two wheels;

[(35)] **(36)** "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

[(36)] **(37)** "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

[(37)] **(38)** "Municipality", any city, town or village, whether incorporated or not;

[(38)] **(39)** "Nonresident", a resident of a state or country other than the state of Missouri;

[(39)] **(40)** "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

[(40)] **(41)** "Operator", any person who operates or drives a motor vehicle;

[(41)] **(42)** "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the

conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

[(42)] **(43)** "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

[(43)] **(44)** "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

[(44)] **(45)** "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

[(45)] **(46)** "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

[(46)] **(47)** "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

[(47)] **(48)** "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The saddle is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a double saddlemount combination. When three vehicles are towed in this manner, the combination is called a triple saddlemount combination;

[(48)] **(49)** "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

[(49)] **(50)** "Salvage vehicle", a motor vehicle, semitrailer or house trailer which, by reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it, or by an insurance company as a result of settlement of a claim for loss due to damage or theft; or a vehicle, ownership of which is evidenced by a salvage title; or abandoned property which is titled pursuant to section 304.155, RSMo, or section 304.157, RSMo, and designated with the words "salvage/abandoned property";

[(50)] **(51)** "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

[(51)] **(52)** "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

[(52)] **(53)** "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

[(53)] **(54)** "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term "specially constructed motor vehicle" includes kit vehicles;

[(54)] **(55)** "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

[(55)] **(56)** "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

[(56)] **(57)** "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

[(57)] **(58)** "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010, RSMo;

[(58)] **(59)** "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

[(59)] **(60)** "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional "A dolly" connected truck-tractor semitrailer-trailer combination;

[(60)] **(61)** "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

[(61)] **(62)** "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

[(62)] **(63)** "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term "bus" or "commercial motor vehicle" as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by section 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

[(63)] **(64)** "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

[(64)] **(65)** "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

[(65)] **(66)** "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, Page 2, Section 304.170, Line 32, by inserting after "semitrailer" the following: "**or dromedary and semitrailer**"; and

Further amend Line 35, by inserting after "semitrailer" the following: "**or dromedary and semitrailer**"; and

Further amend Line 37, by inserting after "semitrailer" the following: "**or dromedary and semitrailer**"; and

Further amend Line 38, by striking "which" and inserting in lieu thereof the following: "**such semitrailer**"; and

Further amend said bill and section, Page 3, Line 53, by striking "and" and inserting in lieu thereof a comma ","; and

Further amend Line 54, by striking the following: "having a length not in excess of sixty-five feet".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1142, Page 7, Section 407.870, Line 24, by adding after all of said line the following:

“Section 1. Prior to awarding a contract, the office of administration or the state agency responsible for evaluating a contract for the purchase of goods shall evaluate the bids received according to the criteria and procedures established by the department of agriculture for determining if a product is a biobased product and if a product is a biobased product produced in this state. The office of administration or other agency shall first remove bids that offer supplies that are not biobased products or that will not be produced in this state. From among the remaining bids, the office of administration shall select the lowest responsive and responsible bid, from among the bids that offer biobased products that have been produced in this state where sufficient competition can be generated within this state to ensure that compliance with these requirements will not result in an excessive price for the product or acquiring a disproportionately inferior product. If there are two or more qualified bids that offer biobased products that have been produced in this state, it shall be deemed that there is sufficient competition to prevent an excessive price for the product or the acquiring of a disproportionately inferior product. This section applies to all agency procurement offices of this state.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 721, as amended**, and has taken up and passed **HCS SCS SB 721, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 813, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HS HCS HB 1742, as amended**: Senators Mathewson, Staples, Scott, Russell and Westfall.

ADJOURNMENT

On motion of Representative Crump, the House recessed until 9:30 p.m. at which time the House then adjourned until 10:00 a.m., Wednesday, May 3, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-second Day, Monday, May 1, 2000, pages 1129 and 1130, roll call, by showing Representative Blunt voting "no" rather than "absent with leave".

Pages 1134 and 1135, roll call, by showing Representative Black voting "aye" rather than "absent with leave".

Pages 1148 and 1149, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Page 1154, roll call, by showing Representative Crawford voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Wednesday, May 3, 2000, 9:00 am. Hearing Room 1.

Executive Session to follow.

To be considered - SB 925, SCR 37

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, May 3, 2000, 8:00 am. Hearing Room 5.

Department of Social Services. Division of Family Services. CTS Funds.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, May 3, 2000. Hearing Room 1 upon noon adjournment.

Executive Session to follow.

To be considered - SB 885

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, May 3, 2000, 8:00 am. Senate Committee Rooms 2 and 3.

To be considered - HB 1111

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, May 3, 2000, 8:00 am. Hearing Room 3.

To be considered - HB 2148, SB 851, SB 926

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, May 4, 2000, 8:30 am. Hearing Room 1.

Executive Session. To be considered - SB 851, SB 926

FISCAL REVIEW

Wednesday, May 3, 2000, 8:30 am. Hearing Room 7.

Executive Session. Fiscal Note Review.

To be considered - HB 1159, HB 1888, HB 2011, SB 741, SB 936

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 3, 2000, 9:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HR 295, SCR 39, SJR 50

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 3, 2000, 9:00 am. Hearing Room 4. AMENDED.

Executive Session may or may not be held.

To be considered - SB 1027

PUBLIC SAFETY AND LAW ENFORCEMENT

Wednesday, May 3, 2000. Side gallery upon morning adjournment. AMENDED.

To be considered - Executive Session - HCR 33

RULES, JOINT RULES, AND BILLS PERFECTED AND PRINTED

Wednesday, May 3, 2000. Hearing Room 3 upon morning adjournment.

To be considered - SJR 53

TRANSPORTATION

Wednesday, May 3, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - SB 793, SCR 22, SCR 35

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Wednesday, May 3, 2000. North side gallery upon morning adjournment.

Executive Session.

To be considered - SB 864

HOUSE CALENDAR

SIXTY-FOURTH DAY, WEDNESDAY, MAY 3, 2000

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45, HCA 1 - Scheve
- 4 HJR 51 - Clayton

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HB 2102 - Hampton
- 3 HB 1066, HCA 1 - Riback Wilson (25)
- 4 HB 1280 - Clayton
- 5 HB 1502 - Smith
- 6 HCS HB 1547 - Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 8 HB 1546 - Smith
- 9 HCS HB 1606 - Bray
- 10 HCS HB 1225 - Hosmer
- 11 HCS HB 1540 - Green
- 12 HCS HB 1942 - Liese
- 13 HCS HB 1578 - Shelton
- 14 HB 2056 - Gunn
- 15 HCS HB 1718 - Smith
- 16 HCS HB 1966 - Hosmer

- 17 HCS HB 1997 - Smith
- 18 HCS HB 1336 - Lakin
- 19 HCS HB 1780 - Liese
- 20 HCS HB 1816 - Hosmer
- 21 HCS HB 1357 - Bonner
- 22 HB 1872 - Seigfreid
- 23 HCS HB 1674 - Graham (24)
- 24 HCS HB 1154 - Boucher
- 25 HCS HB 2114 - Hoppe
- 26 HCS HB 1649 - Williams (121)
- 27 HB 1216 - Kelly (27)
- 28 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1602, as amended - Leake
- 2 HCS HB 1932 - Harlan
- 3 HB 1712 - McKenna
- 4 HS HB 1394, as amended - Murray

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 23, (3-16-00, pg. 646) - Bray
- 2 HCR 28, (4-11-00, pg. 916) - Van Zandt
- 3 HCR 34, (5-1-00, pg. 1159) - Clayton
- 4 HCR 31, (5-1-00, pg. 1158) - Hollingsworth

HOUSE BILLS FOR THIRD READING

- 1 HS HB 2011, (Fiscal Review, 4-27-00) - Overschmidt
- 2 HS HCS HB 1888, (Fiscal Review, 5-2-00) - Wilson (42)
- 3 HB 1159, (Fiscal Review, 5-2-00) - Boucher

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE BILLS FOR THIRD READING

- 1 HCS SB 944 - Smith
- 2 HCS SB 896, E.C. - May (108)
- 3 HCS SB 724 - Farnen
- 4 SB 961, E.C. - Ransdall
- 5 HCS SB 858 - Smith
- 6 SCS SB 779 - Wiggins
- 7 SB 1053 - Days
- 8 HCS SS SCS SB 577 - Ransdall

- 9 HCS SB 741, (Fiscal Review, 5-1-00) - Backer
- 10 HCS SB 936, E.C. (Fiscal Review, 5-1-00) - Bray
- 11 HCS SS SCS SB 763
- 12 HCS SB 922, (Fiscal Review, 5-2-00) - Hagan-Harrell
- 13 HCS SS SCS SB 678 & 742, (Fiscal Review, 5-2-00) - May (108)
- 14 HCS SS SB 902, (Fiscal Review, 5-2-00) - Treadway
- 15 SCS SB 557 - Smith
- 16 SS SCS SB 867 & 552, (Fiscal Review, 5-2-00) - Rizzo

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 HCS SB 856, Part III, IV & V to HS, a.a., pending - Harlan
- 2 HCS SCS SB 894 - Hoppe
- 3 HCS SB 788 - Barry
- 4 HCS SCS SB 542 - Hoppe

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 1631 - Hoppe
- 2 SCS HB 1454, E.C. - Hoppe

BILLS CARRYING REQUEST MESSAGES

- 1 HS HCS SS SB 549, E.C., a.a. (req. House recede/grant conf.) - Van Zandt
- 2 HCS SS SB 813, a.a. (req. House recede/grant conf.) - Kissell

BILLS IN CONFERENCE

- 1 CCR SCS HCS HB 1102, as amended - Franklin
- 2 CCR SCS HCS HB 1103, as amended - Franklin
- 3 CCR SCS HCS HB 1104 - Franklin
- 4 CCR SCS HCS HB 1105, as amended - Franklin
- 5 CCR SCS HCS HB 1106, as amended - Franklin
- 6 CCR SCS HCS HB 1107, as amended - Franklin
- 7 CCR SCS HCS HB 1108 - Franklin
- 8 CCR SCS HCS HB 1109 - Franklin
- 9 SCS HCS HB 1110, as amended - Franklin
- 10 SCS HCS HB 1111, as amended - Franklin
- 11 SCS HCS HB 1112, as amended - Franklin
- 12 SCS HS HCS HB 1742, as amended - Koller
- 13 SCS HB 1591 - Backer

HOUSE RESOLUTIONS

- 1 HR 557, (5-1-00, pg. 1160) - Gratz
- 2 HR 504, (5-1-00, pg. 1159) - Gratz

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTY-FOURTH DAY, WEDNESDAY, MAY 3, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Almighty Goodness, those who know You well testify that “The earth is full of the Goodness of the Lord”. Help this House make plain that truth today. May these women and men uncover decency and integrity in word and deed. Let wisdom and agreement be unearthed from the labors of committees and discussions, discovered even in the wrangling and dispute so much a necessary part of the democratic process. So may even these final difficult days of this session attest that You are at work in the heart of our world, in the core of society, in the nucleus of this Chamber. Thank You, God, and help us, today and always. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brandon Hammack, Courtney Kuhl, Justin Welch, Matt Koehner, Philip Christensen, Taylor Billings, Tiffany White, Riley Lohrmann, Bethany Parry, Leah Avila, Ashley Greer, Maxwell Vinas, Jacob Kuechenmeister, Joe Petri, Brandon Moore, LaShara Russell and Stephanie Adams.

The Journal of the sixty-third day was approved as corrected by the following vote:

AYES: 086

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 071

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker

Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Murphy	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reinhart	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Shields
Summers	Surface	Townley	Tudor	Vogel
Wright				

PRESENT: 001

Reid

ABSENT WITH LEAVE: 004

Cierpiot	Lograsso	Secrest	Stokan
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1401 - Representative Wilson (42)
 House Resolution No. 1402 - Representative Gratz
 House Resolution No. 1403 - Representative Pouche
 House Resolution No. 1404 - Representative Schwab
 House Resolution No. 1405
 through
 House Resolution No. 1432 - Representative Levin
 House Resolution No. 1433 - Representative Robirds
 House Resolution No. 1434
 through
 House Resolution No. 1438 - Representative Britt
 House Resolution No. 1439
 through
 House Resolution No. 1449 - Representative Relford
 House Resolution No. 1450 - Representative Kissell
 House Resolution No. 1451 - Representative Townley

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 741**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 936**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1159**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HB 1888**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HB 2011**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1631, relating to liquor control, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SCS HB 1631** was adopted by the following vote:

AYES: 146

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bennett	Berkowitz	Berkstresser
Black	Blunt	Bonner	Boucher 48	Boykins
Bray 84	Britt	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Pouche 30	Pryor	Ransdall	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 013

Ballard	Bartelsmeyer	Bartle	Boatright	Hartzler 124
Kelley 47	Murphy	Patek	Phillips	Purgason
Reid	Schilling	Summers		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 002

Loudon Stokan

VACANCIES: 001

On motion of Representative Hoppe, **SCS HB 1631** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bennett	Berkowitz	Berkstresser
Black	Blunt	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Liese
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Pouche 30
Pryor	Purgason	Ransdall	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 012

Ballard	Bartelsmeyer	Bartle	Boatright	Hartzler 124
Kelley 47	Murphy	Patek	Phillips	Reid
Schilling	Summers			

PRESENT: 000

ABSENT WITH LEAVE: 006

Hartzler 123	Kelly 27	Levin	Linton	Stokan
Williams 121				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Barry, title to the bill was agreed to.

Representative Curls moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1454, relating to tax credits, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SCS HB 1454** was adopted by the following vote:

AYES: 151

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hegeman	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 009

Auer	Davis 63	Foster	Green	Harlan
Hartzler 124	Hendrickson	Loudon	Schilling	

PRESENT: 000

ABSENT WITH LEAVE: 002

Levin	Stokan
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VACANCIES: 001

On motion of Representative Hoppe, **SCS HB 1454** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Froelker	Gambara	Gaskill	George

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Gibbons	Graham 106	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Hartzler 123	Hegeman	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Pouche 30	Purgason	Ransdall	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 012

Auer	Boatright	Davis 63	Foster	Green
Hartzler 124	Hendrickson	Phillips	Pryor	Reid
Schilling	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 005

Elliott	Harlan	Levin	Reinhart	Stokan
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VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 132

Abel	Backer	Ballard	Barry 100	Bennett
Berkowitz	Berkstresser	Black	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Kasten	Kelley 47
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Legan	Liese
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Pouche 30	Purgason
Ransdall	Reinhart	Relford	Reynolds	Richardson
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward

Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 028

Akin	Alter	Auer	Barnett	Bartelsmeyer
Bartle	Boatright	Chrismer	Foster	Gaskill
Hanaway	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	King	Klindt	Linton	Loudon
Merideth	Patek	Phillips	Pryor	Reid
Ridgeway	Schilling	Secrest		

PRESENT: 000

ABSENT WITH LEAVE: 002

Levin	Stokan
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VACANCIES: 001

On motion of Representative Boucher, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Fraser moved that motion lay on the table.

The latter motion prevailed.

Representative Scheve assumed the Chair.

SCS HCS HB 1142, as amended, relating to farm equipment, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **SCS HCS HB 1142, as amended**, was adopted by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30

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Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 005

Green	Hickey	Lograsso	Murphy	Wright
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 005

Dougherty	Hohulin	Kelly 27	Richardson	Stokan
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VACANCIES: 001

On motion of Representative Ransdall, **SCS HCS HB 1142, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Akin	Alter	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 003

Green	Murphy	Wright
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 008

Auer	Backer	Dougherty	Hohulin	Marble
Richardson	Stokan	Vogel		

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Gambaro, title to the bill was agreed to.

Representative Kissell moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

BILLS CARRYING REQUEST MESSAGES

HS HCS SS SB 549, as amended, relating to tobacco settlement fund, was taken up by Representative Van Zandt.

Representative Van Zandt moved that the House refuse to recede from its position on **HS HCS SS SB 549, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SS SB 813, as amended, relating to law enforcement officers, was taken up by Representative Kissell.

Representative Kissell moved that the House refuse to recede from its position on **HCS SS SB 813, as amended**, and grant the Senate a conference.

Which motion was adopted.

BILLS IN CONFERENCE

CCR SCS HCS HB 1102, as amended, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, **CCR SCS HCS HB 1102, as amended**, was adopted by the following vote:

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AYES: 154

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 006

Hanaway	Hohulin	Linton	Murphy	Patek
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 002

Robirds Stokan

VACANCIES: 001

On motion of Representative Lakin, **CCS SCS HCS HB 1102** was read the third time and passed by the following vote:

AYES: 152

Abel	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell

Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 007

Akin	Griesheimer	Hanaway	Hohulin	Linton
Murphy	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 003

Kasten	Robirds	Stokan
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VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Riback Wilson (25), title to the bill was agreed to.

Representative Berkowitz moved that the vote by which the bill passed be reconsidered.

Representative Auer moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1103, as amended, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, **CCR SCS HCS HB 1103, as amended**, was adopted by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton

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Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Skaggs	Smith	Summers
Surface	Thompson	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Hanaway	Hohulin	Kennedy	Linton	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 006

Holand	Pryor	Robirds	Shields	Stokan
Townley				

VACANCIES: 001

On motion of Representative Lakin, **CCS SCS HCS HB 1103** was read the third time and passed by the following vote:

AYES: 153

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner

Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 005

Hanaway	Hohulin	Kennedy	Linton	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 004

Barry 100	Pryor	Robirds	Stokan
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VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Rizzo, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1104, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **CCR SCS HCS HB 1104** was adopted by the following vote:

AYES: 117

Abel	Alter	Auer	Backer	Barnett
Barry 100	Bennett	Berkowitz	Black	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Farnen	Fitzwater	Foley	Foster
Franklin	Fraser	Gambaro	George	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Kasten	Kelley 47	Kelly 27
Kennedy	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Luetkemeyer	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Pouche 30
Ransdall	Relford	Reynolds	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

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NOES: 038

Akin	Ballard	Bartelsmeyer	Bartle	Berkstresser
Blunt	Boatright	Champion	Chrismer	Cierpiot
Crawford	Elliott	Evans	Froelker	Gaskill
Gibbons	Hanaway	Hendrickson	Hohulin	Howerton
King	Linton	Lograsso	Loudon	Marble
Miller	Murphy	Patek	Phillips	Pryor
Purgason	Reid	Reinhart	Ridgeway	Scott
Secrest	Townley	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Hartzler 124	Long	Nordwald	Richardson
Robirds	Stokan			

VACANCIES: 001

On motion of Representative Green, **CCS SCS HCS HB 1104** was read the third time and passed by the following vote:

AYES: 131

Abel	Alter	Auer	Backer	Barnett
Barry 100	Bennett	Berkowitz	Black	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Farnen
Fitzwater	Foley	Foster	Franklin	Fraser
Froelker	Gambaro	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Lograsso
Luetkemeyer	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Pouche 30
Ransdall	Reid	Relford	Reynolds	Ridgeway
Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 025

Akin	Ballard	Bartelsmeyer	Bartle	Berkstresser
Boatright	Blunt	Cierpiot	Elliott	Evans
Gaskill	Hanaway	Hohulin	Linton	Loudon
Marble	Miller	Murphy	Patek	Phillips
Pryor	Purgason	Reinhart	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 006

Ford	Hartzler 124	Long	Richardson	Robirds
Stokan				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Ward moved that motion lay on the table.

The latter motion prevailed.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 763 - Fiscal Review (Fiscal Note)

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 881, as amended**, and request the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1097**, entitled:

An act to repeal section 537.340, RSMo 1994, relating to trespass, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1113**, entitled:

An act to appropriate money for real property leases, real property lease purchases, related services, utilities, and systems furniture; and structural modifications for new FTE for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1544**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1647**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1659**, entitled:

An act to repeal section 144.157, RSMo 1994, and sections 67.1003 and 67.1360, RSMo Supp. 1999, relating to sales taxes, and to enact in lieu thereof four new sections relating to the same subject with an emergency clause for a certain section.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1659, Page 1, Section 67.1003, Lines 6-8, by deleting all of said lines and inserting in lieu thereof the following:

“classification with a population of [less than seven thousand three hundred fifty and having an assessed valuation of less than forty-nine million dollars] **more than seven thousand but less than seven thousand four hundred inhabitants** may impose a tax on the charges for all sleeping rooms”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1739**, entitled:

An act to repeal section 376.300, RSMo Supp. 1999, relating to life insurance, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1120**, entitled:

An act to appropriate money for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1120, Page 5, Section 20.100, Lines 2-4, by deleting all of said lines and inserting in lieu thereof the following:

“For the Department of Social Services

For the design, construction, improvements and land acquisitions of a St. Louis youth services facility and land acquisition shall be contiguous with the real property parcel donated by the City of St. Louis and land acquisition shall be bounded by Hamilton Avenue on the east, rear of Kennerly Avenue property on the south, St. Louis Avenue on the north and parallel with donated property to the west”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1121**, entitled:

An act to appropriate money for expenses, grants, distributions and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2000 and ending June 30, 2001.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1122**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2000.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Donnie Colin Kissell.

Speaker Gaw resumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1452 - Representatives George and Green

House Resolution No. 1453

and

House Resolution No. 1454 - Representative George

House Resolution No. 1455 - Representatives Ostmann and Chrismer

House Resolution No. 1456 - Representative Curls, et al

House Resolution No. 1457 - Representative Luetkemeyer

House Resolution No. 1458 - Representative Days
 House Resolution No. 1459 - Representative Gaw
 House Resolution No. 1460 - Representative Hartzler (124)
 House Resolution No. 1461 - Representative Days

BILL IN CONFERENCE

CCR SCS HCS HB 1105, as amended, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **CCR SCS HCS HB 1105, as amended**, was adopted by the following vote:

AYES: 125

Abel	Alter	Auer	Backer	Barnett
Barry 100	Bennett	Berkowitz	Berkstresser	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Gambaro	George	Graham 106	Graham 24
Gratz	Green	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hegeman	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Kasten	Kelley 47	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Pouche 30	Ransdall	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Scheve	Schilling	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Skaggs	Summers
Surface	Thompson	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 028

Akin	Ballard	Bartelsmeyer	Bartle	Black
Blunt	Boatright	Cierpiot	Elliott	Enz
Froelker	Hanaway	Hartzler 124	Hendrickson	Howerton
King	Lograsso	Loudon	Luetkemeyer	Murphy
Myers	Phillips	Pryor	Purgason	Reid
Smith	Townley	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Gaskill	Gibbons	Griesheimer	Kelly 27	Patek
Robirds	Sallee	Secrest	Stokan	

VACANCIES: 001

On motion of Representative Green, **CCS SCS HCS HB 1105** was read the third time and passed by the following vote:

AYES: 127

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bennett	Berkowitz	Berkstresser
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Chrismer	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambara	George	Graham 106
Graham 24	Gratz	Green	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hegeman
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Kasten	Kelley 47	Kelly 27
Kennedy	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Long	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Pouche 30	Ransdall	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Surface	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 029

Ballard	Bartelsmeyer	Bartle	Black	Blunt
Boatright	Cierpiot	Elliott	Enz	Gaskill
Hanaway	Hartzler 124	Hendrickson	Howerton	King
Linton	Lograsso	Loudon	Luetkemeyer	Murphy
Myers	Phillips	Pryor	Purgason	Reid
Smith	Summers	Townley	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Champion	Gibbons	Griesheimer	Patek	Robirds
Stokan				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Murray, title to the bill was agreed to.

Representative Riley moved that the vote by which the bill passed be reconsidered.

Representative Britt moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1113, relating to appropriations, was taken up by Representative Green.

SCS HCS HB 1113 was laid over.

SCS HCS HB 1120, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1120, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS IN CONFERENCE

CCR SCS HCS HB 1106, as amended, relating to appropriations, was taken up by Representative Scheve.

Representative Scheve moved that **CCR SCS HCS HB 1106** be adopted.

Representative Bennett made a substitute motion that the House refuse to adopt **CCR SCS HCS HB 1106, as amended**, and request the Senate to grant the House a further conference and the conferees be bound to House Amendment No. 5.

Representative Foley raised a point of order that the substitute motion to refuse to adopt **CCR SCS HCS HB 1106, as amended**, is a negative motion.

The Chair ruled the point of order well taken.

Representative Scheve again moved that **CCR SCS HCS HB 1106, as amended**, be adopted.

Which motion was adopted by the following vote:

AYES: 086

Auer	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Bray 84	Britt	Brooks	Campbell
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 106	Graham 24	Gratz	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hilgemann	Hoppe	Hosmer	Howerton	Kelly 27
Kennedy	King	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Liese
May 108	Mays 50	McBride	McClelland	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Pouche 30	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Tudor	Van Zandt	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 075

Abel	Akin	Alter	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkstresser	Black
Blunt	Boatright	Boykins	Burton	Champion
Chrismer	Cierpiot	Dolan	Elliott	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Green	Griesheimer	Gross	Gunn	Hanaway
Hendrickson	Hickey	Hohulin	Holand	Hollingsworth
Kasten	Kelley 47	Kissell	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	McKenna	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Selby	Shields	Summers
Surface	Townley	Vogel	Wagner	Wright

PRESENT: 000

ABSENT WITH LEAVE: 001

Stokan

VACANCIES: 001

On motion of Representative Scheve, **CCS SCS HCS HB 1106** was read the third time and passed by the following vote:

AYES: 114

Abel	Auer	Backer	Ballard	Barnett
Barry 100	Berkowitz	Black	Bonner	Boucher 48
Bray 84	Britt	Brooks	Burton	Campbell
Champion	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 106	Graham 24
Gratz	Green	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Liese	Long	Marble	May 108	Mays 50
McBride	McClelland	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Phillips
Pouche 30	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Riley	Rizzo	Robirds
Sallee	Scheve	Schilling	Schwab	Scott
Seigfreid	Shelton	Shields	Skaggs	Smith
Summers	Thompson	Treadway	Troupe	Tudor
Van Zandt	Vogel	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 043

Akin	Alter	Bartelsmeyer	Bartle	Bennett
Berkstresser	Blunt	Boatright	Boykins	Chrismer
Cierpiot	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Griesheimer	Gross
Gunn	Hanaway	Hendrickson	Hickey	Hohulin
Kissell	Levin	Linton	Lograsso	Loudon
Luetkemeyer	Luetkenhaus	McKenna	Murphy	Nordwald
Patek	Richardson	Secrest	Selby	Surface
Townley	Wagner	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Kasten Pryor Purgason Ross Stokan

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Backer, title to the bill was agreed to.

Representative Hilgemann moved that the vote by which the bill passed be reconsidered.

Representative Hollingsworth moved that motion lay on the table.

The latter motion prevailed.

Representative Smith assumed the Chair.

Speaker Gaw resumed the Chair.

CCR SCS HCS HB 1107, as amended, relating to appropriations, was taken up by Representative Scheve.

On motion of Representative Scheve, **CCR SCS HCS HB 1107, as amended**, was adopted by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Sallee	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 075

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Boykins	Burton	Champion	Chrismer
Cierpiot	Crawford	Dolan	Elliott	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kasten	King	Klindt	Levin

Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wagner	Wright

PRESENT: 000

ABSENT WITH LEAVE: 003

Kelley 47	Legan	Stokan
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VACANCIES: 001

On motion of Representative Scheve, **CCS SCS HCS HB 1107** was read the third time and passed by the following vote:

AYES: 101

Abel	Auer	Backer	Barry 100	Berkowitz
Black	Bonner	Boucher 48	Bray 84	Britt
Brooks	Burton	Campbell	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 106	Graham 24
Gratz	Green	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Kasten	Kelly 27
Kennedy	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Liese
Long	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Pouche 30	Ransdall	Reid	Relford
Reynolds	Riley	Rizzo	Sallee	Scheve
Schilling	Schwab	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Thompson	Treadway
Troupe	Tudor	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 057

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Blunt	Boatright
Boykins	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Griesheimer	Gross
Hanaway	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	King	Levin	Linton	Lograsso
Loudon	Luetkemeyer	Miller	Murphy	Myers
Naeger	Nordwald	Phillips	Pryor	Purgason
Reinhart	Richardson	Ridgeway	Robirds	Ross
Scott	Secrest	Summers	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 004

Kelley 47	Marble	Patek	Stokan
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VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Graham (24) moved that the vote by which the bill passed be reconsidered.

Representative Hoppe moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1108, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, **CCR SCS HCS HB 1108** was adopted by the following vote:

AYES: 113

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Berkowitz	Black	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Chrismer	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Elliott	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	George
Graham 106	Graham 24	Gratz	Green	Gross
Gunn	Hampton	Hartzler 123	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Kelly 27	Kennedy
King	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Liese	Linton
Long	Luetkemeyer	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Pouche 30
Pryor	Ransdall	Reid	Reinhart	Relford
Reynolds	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Troupe	Tudor	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 037

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Berkstresser	Blunt	Boatright	Champion	Cierpiot
Enz	Evans	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kasten	Levin	Loudon	Marble
Miller	Nordwald	Phillips	Purgason	Richardson
Ridgeway	Schwab	Scott	Secrest	Townley
Vogel	Wright			

PRESENT: 001

Patek

ABSENT WITH LEAVE: 011

Dolan	Gibbons	Hagan-Harrell	Harlan	Hosmer
Kelley 47	Kissell	Lograsso	Murphy	Stokan
Treadway				

VACANCIES: 001

On motion of Representative Lakin, **CCS SCS HCS HB 1108** was read the third time and passed by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Elliot
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 006

Bartelsmeyer	Hanaway	Loudon	Secrest	Townley
Wright				

PRESENT: 001

Patek

ABSENT WITH LEAVE: 005

Dolan	Kelley 47	Murphy	Stokan	Treadway
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VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hagan-Harrell, title to the bill was agreed to.

Representative Luetkenhaus moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1109, relating to appropriations, was taken up by Representative Franklin.

Representative Crawford raised a point of order that between the chambers, the House conferees exceeded the differences on **CCR SCS HCS HB 1109**.

The Chair placed the point of order before the body pursuant to rule 60(d), a majority of the members voted the point of order not well taken by the following vote:

AYES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kasten	King	Klindt	Legan	Levin
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Merideth	Miller	Murphy	Myers
Naeger	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

NOES: 079

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Kreider	Lakin	Lawson
Leake	Liese	May 108	Mays 50	McBride
McKenna	McLuckie	Monaco	Murray	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 009

Kelley 47	Koller	Linton	Luetkenhaus	Nordwald
O'Connor	O'Toole	Stokan	Treadway	

VACANCIES: 001

CCR SCS HCS HB 1109, was laid over.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1110**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1110, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1110.
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1110.
3. That the attached Conference Committee Substitute for House Bill No. 1110, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Deleta Williams
/s/ Vicky Riback Wilson
/s/ Charlie Shields

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SCS SBs 617 & 646**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SS#2 SCS SBs 757 & 602**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SS SCS SB 885**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Correctional and State Institutions, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 892**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **SB 910**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **SB 734**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 295**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 295

WHEREAS, the members of the Missouri House of Representatives take great pride in rendering assistance to Missouri's Silver Haired Legislature; and

WHEREAS, the Silver Haired Legislature consists of older Missourians who are elected by their peers to participate in an annual, statewide work session in Jefferson City to determine and advocate for legislative priorities before the Missouri General Assembly; and

WHEREAS, the recommendations made by the Silver Haired Legislature have contributed to a better understanding of the merits and limitations of many popular proposals and have provided a meaningful opportunity for the elderly in Missouri to get involved in current issues of consequence:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, unanimously join in granting permission to the Silver Haired Legislature to use the House Chamber for their upcoming session to be held on October 5, 2000, from 8:30 a.m. to 5:00 p.m. and on October 6, 2000, from 8:30 a.m. to 10:00 a.m.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 550**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 550

WHEREAS, the Missouri House of Representatives recognizes and acknowledges the importance of working together in collaboration with community organizations to achieve common objectives in preserving healthcare services in the North St. Louis County area; and

WHEREAS, the announcement of the closing of Normandy Community Hospital is the latest instance in a series of cutbacks of healthcare services offered in the St. Louis, North County area that include hospitals at Christian Northeast, Christian Northwest and DePaul; and

WHEREAS, the Missouri House of Representatives fully supports the North County Concerned Citizens for Quality Healthcare dedication to raising the awareness of this important issue that directly effects the quality of life for residents in the North County area; and

WHEREAS, the Missouri House of Representatives fully supports the group known as "North County Concerned Citizens for Quality Healthcare" in their efforts to make sure further healthcare cuts do not take place and look to attract new healthcare providers to the area; and

WHEREAS, the Missouri House of Representatives has determined that active participation in and support of the North County Concerned Citizens for Quality Healthcare is an important first step toward the preservation of healthcare in the area and will benefit the residents of the City of St. Louis to a substantial degree:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, do hereby formally denounce the decision of Health Plus to close the Normandy Community Hospital and, in turn, formally support the efforts of the North County Concerned Citizens for Quality Healthcare to preserve the availability of healthcare services in the North County area.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SCR 39**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SJR 50**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 765**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SS SB 850**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Public Health, Chairman Ladd Stokan reporting:

Mr. Speaker: Your Committee on Public Health, to which was referred **SB 974**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Public Safety and Law Enforcement, Chairman Kissell reporting:

Mr. Speaker: Your Committee on Public Safety and Law Enforcement, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 33

WHEREAS, effective March 15, 2000, the federal Drug Enforcement Administration (DEA) will no longer provide funding to states for the cleanup of clandestine drug laboratories; and

WHEREAS, in 1999, the Missouri State Highway Patrol conducted 757 clandestine drug laboratory investigations with a total of 615 drug labs seized; and

WHEREAS, the cost of cleaning up a clandestine drug laboratory can easily reach into the thousands of dollars; and

WHEREAS, if the DEA does not cover the cost of cleaning up these laboratories, many state and local law enforcement agency budgets will be severely strained by the additional burden of covering the laboratory cleanup costs, with some agencies being forced to completely shut down their clandestine drug laboratory seizure operations due to the additional financial burden; and

WHEREAS, the safety of the citizens of the state of Missouri will be greatly impacted if clandestine drug laboratories are allowed to continue operations because state and local law enforcement agencies simply cannot afford to seize and clean up these laboratories:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby oppose the federal Drug Enforcement Administration's decision to cut off state funding to cover the cost of cleaning up clandestine drug laboratories; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for William B. Simpkins, Assistant Administrator of the Operational Support Division of the federal Drug Enforcement Administration.

Mr. Speaker: Your Committee on Public Safety and Law Enforcement, to which was referred **SCS SB 806** and **SB 537**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 39, introduced by Representatives Rizzo and May (108), urging the Associated Wholesale Grocers, Incorporated and Teamsters to go back to the bargaining table for their labor dispute.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SB 549, as amended**: Senators Quick, Scott, Staples, Klarich and Flotron.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 813, as amended**: Senators House, Clay, Stoll, Steelman and Klarich.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1428**, entitled:

An act to amend chapter 8, RSMo, by adding thereto one new section relating to a permanent memorial for workers killed or injured on the job.

With Senate Committee Amendment No. 1, Senate Committee Amendment No. 2 and Senate Committee Amendment No. 3

Senate Committee Amendment No. 1

AMEND House Bill No. 1428, Page 1, In the Title, Lines 2-3, by striking all of said lines and inserting in lieu thereof the following:

"To repeal section 294.011, RSMo Supp. 1999, and to enact in lieu thereof two new sections relating to certain employees, with an emergency clause for a certain section."; and

Further amend said bill and page, Section A, Lines 1-2, by striking all of said lines and inserting in lieu thereof the following:

"Section A. Section 294.011, RSMo Supp. 1999, is repealed and two new sections enacted in lieu thereof, to be known as sections 8.900 and 294.011, to read as follows:"; and

Further amend said bill, Page 2, Section 8.900, Line 16, by inserting immediately after said line the following:

"294.011. As used in this chapter, the following terms mean:

- (1) "Child", an individual under sixteen years of age;
- (2) "Commission", the labor and industrial relations commission;
- (3) "Department", the department of labor and industrial relations;
- (4) "Department director", the director of the department of labor and industrial relations;
- (5) "Director", director of the division of labor standards;
- (6) "Division", the division of labor standards;
- (7) "Employ", engage a child in gainful employment for wages or other remuneration except where the child is working under the direct control of the parent, legal custodian or guardian of the child. The term "employ" shall not include the performance of the following services by a child twelve years of age or older:
 - (a) The delivery or sales of newspapers, magazines or periodicals;
 - (b) Child care;
 - (c) Occasional yard or farm work performed by a child with the knowledge and consent of his or her parent, legal custodian or guardian. Such work shall include the use of lawn and garden machinery in domestic service at or around a private residence, provided that, there shall be an agreement between an occupant of the private residence and the child, and by no other person, firm or corporation, other than a parent, legal custodian or guardian of the child, for the performance of such work;
 - (d) Participating in a youth sporting event as a [player,] referee, coach or other position necessary to the sporting event; except that, this paragraph shall not include working at a concession stand. For purposes of this paragraph, "youth sporting event" means an event where all players are under the age of eighteen and the event is sponsored and supervised by a public body or a not for profit entity; or
 - (e) Any other part-time employment performed by a child with the knowledge and consent of his or her parent, legal custodian or guardian not specifically prohibited by section 294.040.

Section B. Because immediate action is necessary to allow the department of labor and industrial relations to implement the cost savings and efficiencies provided by this legislation for fiscal year 2000, section 294.011 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 294.011 of this act shall be in full force and effect upon its passage and approval or July 1, 2000, whichever occurs later."

Senate Committee Amendment No. 2

AMEND House Bill No. 1428, Page 1, Section 8.900, Line 5, by striking the following: "a member"; and

Further amend lines 6-7, by striking all of said lines and inserting in lieu thereof the following:

"two members of the house of representatives, one from each political party, selected by the speaker of the house and two members of the senate, one from each political party, selected by the president pro tem of the senate. The".

Senate Committee Amendment No. 3

AMEND House Bill No. 1428, Page 1, Section 8.900, Lines 1-2, by striking "killed or injured on the job in the state of Missouri" and inserting in lieu thereof the following:

"who were killed on the job in Missouri or who suffered an on-the-job injury that resulted in a permanent disability".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1102, as amended**, and has taken up and passed **CCS HB 1102**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1103, as amended**, and has taken up and passed **CCS HB 1103**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1104**, and has taken up and passed **CCS HB 1104**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1120, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1105, as amended**, and has taken up and passed **CCS HB 1105**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1604**, entitled:

An act relating to the conveyance and easement of certain state property, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1808**, entitled:

An act to repeal sections 70.605, 70.661, 70.680, 70.685, 86.203, 86.207, 86.210, 86.213, 86.217, 86.220, 86.227, 86.237, 86.240, 86.243, 86.247, 86.250, 86.257, 86.263, 86.270, 86.277, 86.288, 86.290, 86.293, 86.297, 86.300, 86.303, 86.307, 86.310, 86.313, 86.317, 86.323, 86.327, 86.330, 86.337, 86.340, 86.343, 86.344, 86.350, 86.353, 86.357, 86.360, 86.364, 86.365, 86.366, 86.403, 86.433, 86.437, 86.442, 86.493, 86.675, 86.730, 86.780, 87.120, 87.176, 87.230, 87.237, 103.085, 104.140 and 104.345, RSMo 1994, and sections 67.210, 70.655, 70.675, 84.160, 86.200, 86.248, 86.251, 86.252, 86.253, 86.254, 86.255, 86.256, 86.260, 86.267, 86.280, 86.283, 86.287, 86.320, 86.354, 86.440, 86.441, 86.447, 86.483, 86.750, 86.770, 104.010, 104.090, 104.103, 104.335, 104.344, 104.350, 104.372, 104.380, 104.395, 104.420, 104.517, 104.610, 104.1015, 104.1024, 104.1027, 104.1042, 104.1072, 104.1090, 168.021, 169.070, 169.075, 169.600, 169.620, 169.670 and 513.430, RSMo Supp. 1999, relating to certain pension benefits and compensation, and to enact in lieu thereof one hundred eight new sections relating to the same subject, with an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Substitute Amendment No. 1 for Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 1 to Senate Amendment No. 5, Senate Amendment No. 5, as amended, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 12, Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 1

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 54, Section 86.213, Line 6 of said page, by striking the opening and closing brackets “[]” from said line; and

Further amend said line of said page, by striking “twenty”.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 256, Section 169.670, Line 15 of said page, by inserting immediately after said line the following:

“476.687. Any judge as defined in section 476.515 who is actively serving and has served for at least ten years shall receive additional credited service for previous public employment with the state covered by another retirement plan as defined in section 105.691, RSMo, if all of the following conditions are met:

(1) Such member has a vested right to receive a retirement benefit from the other retirement plan at the time of application pursuant to this section and is not a retiree under the other retirement plan;

(2) The other retirement plan transfers to the system an amount equal to the employee's account balance under a defined contribution plan or the amount equal to the employee's pension obligation under a defined benefit plan at the time of transfer to the extent that obligation is funded as of the plan's most recent actuarial valuation, not to exceed one hundred percent, as determined by the other retirement plan's actuary using the same assumption used in performing the last regular actuarial valuation of the transferring plan, except that in no event shall the transferred amount be less than the employee's accumulated contributions on deposit with the transferring plan;

(3) No such credited service remains credited in such other retirement plan;

(4) The member applies for the additional credited service in a manner and form established by the appropriate board.”; and

Further amend the title and enacting clause accordingly.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 256, Section 169.670, Line 15 of said page, by inserting immediately after said line the following:

“173.003. Retirement, severance and associated salary continuance policies and plans of approved public institutions, as defined in section 173.205, shall be applied uniformly, consistently and fairly to all similarly situated officials and employees of such approved public institutions; and no employee or official shall be singled out for retirement or severance benefits which are inconsistent with the formally adopted policies and plans of such approved public institutions.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 4, Section 67.210, Line 8, by inserting after the word “dependents” the following: **“and the dependents of deceased employees”**.

*Senate Amendment No. 1
to
Senate Amendment No. 5*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 1, Section 169.596, Line 11, by inserting after “benefits” the following: **“provided said teacher had taught for at least 30 years prior to retirement.”**.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 237, Section 169.075, Line 23, by inserting immediately after said line the following:

“169.596. 1. Any school district with a shortage of certified teachers, as determined by the school district, may allow retired certificated teachers, but not retired administrators, from any Missouri public teacher retirement system to teach full time in a teaching assignment for up to two years without losing his or her retirement benefits. The total number of such retired certificated teachers shall not exceed, at any one time, the greater of ten percent of the total teacher staff for that school district or five persons. Any retired certificated teacher hired pursuant to this section shall be included in the State Directory of New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section 1320b-7. The provisions of this section shall not become effective until the affected retirement systems have completed actuarial studies assuring that the provisions are cost-neutral and the systems remain actuarially sound. All necessary costs shall be paid by the hiring school district and shall not exceed the school district's statutory cost limitations.

2. Any school district may employ retirees receiving a retirement allowance pursuant to sections 169.600 to 169.715 for a period of up to two years without losing his or her benefits.”; and

Further amend said bill, Page 262, Section B, Line 1, by inserting after “169.075,” the following: “169.596”; and

Further amend said bill and section, Page 262, Line 20, by inserting after “169.075” the following: “169.596”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 256, Section 169.670, Line 15 of said page, by inserting immediately after said line the following:

“476.690. 1. Any judge who has become eligible to receive retirement compensation pursuant to section 476.520 and who has elected not to retire and has continued to serve as a judge after August 28, 1995, shall have added to the retirement compensation when the judge retires or dies an amount equal to the total of all annual cost-of-living increases that retired judges received between the time the judge first became eligible to retire and the year the judge actually retires or dies. In no event shall the total increase in compensation granted pursuant to this section and section 476.601 exceed sixty-five percent of the judge's retirement compensation calculated at the time of retirement or death.

2. Any judge who was eligible to retire on August 28, 1995, and elected to continue to serve as a judge after such date, but who retired before August 28, 1996, shall, upon application to the board of trustees of the Missouri state employees' retirement system, be made, constituted and appointed and employed by the board as a special consultant on the problems of retirement, aging and other state matters for the remainder of the person's life. Upon request of the board or the court from which the judge retired, the consultant shall give opinions or be available to give opinions in writing or orally in response to such request. As compensation for such services, the consultant shall have the retirement benefit recalculated from the date of the retirement, pursuant to the provisions of subsection 1 of this section.

3. Any judge who retired prior to August 28, 1995, and who is receiving judicial retirement compensation on September 1, 2000, shall upon application to the board of trustees of the Missouri state employees' retirement system, be made, constituted and appointed and employed by the board as a special consultant on the problems of retirement, aging and other state matters for the remainder of the judge's life. Upon request of the board or the court from which the judge retired, the consultant shall give opinions or be available to give opinions in writing or orally in response to such request. As compensation for such services, the consultant shall have the consultant's retirement benefit recalculated as if subsection 1 of this section was in effect on the consultant's date of retirement. Any monthly benefit increases payable pursuant to this subsection shall become effective September 1, 2000. In no event shall the system make any retroactive compensation payments under this subsection.”; and

Further amend the title and enacting clause of said bill accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 216, Section 168.021, Line 5, by inserting immediately after said line the following:

“169.060. 1. On and after the first day of July next following the operative date, any member who is sixty or more years of age and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more, or whose creditable service is thirty years or more regardless of age, may retire upon written application to the board of trustees and receive the full retirement benefits on the member's creditable service. Any other member whose creditable service is twenty-five or more years, or who has attained age fifty-five and whose creditable service is at least five years but less than twenty-five years, may retire upon written application to the board of trustees and receive the actuarial equivalent of the benefit to which the member would be entitled if the member was sixty years of age.

2. On and after the first day of July next following the operative date, any member who is teaching in a district included in the retirement system at the time the member becomes disabled, or who has taught in such a district at some time in the twelve months immediately preceding the member becoming disabled, and whose disability is traceable to an injury or sickness which was sustained or commenced prior to the cessation of such teaching, and whose age is less than sixty and whose creditable service in districts included in the retirement system is five years or more, may be retired with disability benefits as provided in sections 169.010 to 169.141 upon written application to the board of trustees, if the member is incapacitated because of physical or mental disability as such disability is herein defined. If such disability shall cease to exist before the recipient of such benefits reaches age sixty, the member's membership status as of the date of the member's disability retirement shall be restored. If the member seeks, before becoming eligible for such retirement allowance, to withdraw the member's accumulated contributions, the total of such disability payments

shall be deducted from the amount otherwise due the member.

3. Disability, as a basis for retirement, shall render the individual incapable of earning a livelihood in any occupation and shall be of such a nature as to warrant the assumption that it will be permanent. Whether or not such disability exists in any case shall be adjudged in the manner provided in subsection 15 of section 169.020 by the board of trustees on the basis of reports made by two or more physicians selected by the board to examine the member. Until the member reaches age sixty, the recipient of a disability retirement allowance may be required to submit to periodic examinations by physicians selected by the board, and if any such examination shows that the recipient is no longer incapable of earning a livelihood in any occupation, the member's disability retirement shall be terminated. **For the purposes of adjustments to Social Security Administration disability benefits pursuant to 20 CFR 404.408 any member receiving disability benefits pursuant to this section who is at least fifty-five years of age and whose creditable service is at least twenty-five years shall be considered to be receiving a normal retirement benefit pursuant to this section.**"; and

Further amend said bill, page 245, Section 169.620, line 9, by inserting immediately after said line the following:

"169.663. 1. On or after July first next following October 13, 1969, any member who is serving an employer included in the system at the time the member becomes disabled, or who has served in such a district at some time in the twelve months immediately preceding the member's becoming disabled, and whose disability is traceable to an injury or sickness which was sustained or commenced prior to the cessation of such service, and whose age is less than sixty and whose creditable service is five years or more, may be retired with disability benefits upon written application to the board of trustees, if the member is incapacitated because of physical or mental disability as such disability is herein defined. If such disability shall cease to exist before the recipient of such benefits reaches age sixty, the member's membership status as of the date of the member's disability retirement shall be restored. If the member dies before becoming eligible for a retirement allowance, or if the member seeks to withdraw the member's accumulated contributions, the total of such disability payments shall be deducted from the amount otherwise due the member, the member's beneficiary, or the member's estate.

2. "Disability", as a basis for retirement, shall render the individual incapable of earning a livelihood in any occupation and shall be of such nature as to warrant the assumption that it will be permanent. Whether or not such disability exists, in any case, shall be adjudged in the manner provided in subsection 15 of section 169.020 by the board of trustees on the basis of evidence that the board by its regulations may require.

3. For the purposes of adjustments to Social Security Administration disability benefits pursuant to 20 CFR 404.408 any member receiving disability benefits pursuant to this section who is at least fifty-five years of age and whose creditable service is at least twenty-five years shall be considered to be receiving a normal retirement benefit pursuant to this section."; and

Further amend Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 261, Section B, Line 25 of said page, by inserting after the numeral "168.021," the numeral "168.060,"; and

Further amend said bill, Page 262, Section B, Line 1 of said page, by inserting after the numeral "169.620," the numeral "169.663,"; and

Further amend line 20 of said page, by inserting after the numeral "168.021," the numeral "168.060,"; and

Further amend said line, by inserting after the numeral "169.620," the numeral "169.663,"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 256, Section 169.670, Line 15, by inserting after all of said line the following:

"355.561. 1. Unless this chapter, the articles, bylaws, the members acting pursuant to subsection 2 of this section, or the board of directors acting pursuant to subsection 3 of this section, require a greater vote or voting by class, an

amendment to a corporation's articles to be adopted must be approved:

(1) By the board if the corporation is a public benefit corporation, **other than a church or a convention or association of churches as described in subsection 6 of this section**, and the amendment does not relate to the number of directors, the composition of the board, the term of office of directors, or the method or way in which directors are elected or selected;

(2) Except as provided in subsection 1 of section 355.556, by the members by two-thirds of the votes cast or a majority of the voting power, whichever is less; and

(3) In writing by any person or persons whose approval is required by a provision of the articles authorized by section 355.606.

2. The members may condition the amendment's adoption on receipt of a higher percentage of affirmative votes or on any other basis.

3. If the board initiates an amendment to the articles or board approval is required by subsection 1 of this section to adopt an amendment to the articles, the board may condition the amendment's adoption on receipt of a higher percentage of affirmative votes or on any other basis.

4. If the board or the members seek to have the amendment approved by the members at a membership meeting, the corporation shall give notice to its members of the proposed membership meeting in writing in accordance with section 355.251. The notice must state that the purpose, or one of the purposes, of the meeting is to consider the proposed amendment and contain or be accompanied by a copy or summary of the amendment.

5. If the board or the members seek to have the amendment approved by the members by written consent or written ballot, the material soliciting the approval shall contain or be accompanied by a copy or summary of the amendment.

6. An amendment to the articles of a public benefit corporation, which is a church or a convention or association of churches, to be adopted must be approved:

(1) **By the members by two-thirds of the votes cast or a majority of the voting power, whichever is less; and**

(2) **In writing by any person or persons whose approval is required by a provision of the articles or bylaws authorized by section 355.606.**

355.596. 1. Unless this chapter, the articles, bylaws, the members acting pursuant to subsection 2 of this section, or the board of directors acting pursuant to subsection 3 of this section, require a greater vote or voting by class, an amendment to a corporation's bylaws to be adopted must be approved:

(1) By the board if the corporation is a public benefit corporation, **other than a church or a convention or association of churches as described in subsection 6 of this section**, and the amendment does not relate to the number of directors, the composition of the board, the term of office of directors, or the method or way in which directors are elected or selected;

(2) By the members by two-thirds of the votes cast or a majority of the voting power, whichever is less; and

(3) In writing by any person or persons whose approval is required by a provision of the articles authorized by section 355.606.

2. The members may condition the amendment's adoption on its receipt of a higher percentage of affirmative votes or on any other basis.

3. If the board initiates an amendment to the bylaws or board approval is required by subsection 1 of this section to adopt an amendment to the bylaws, the board may condition the amendment's adoption on receipt of a higher percentage of affirmative votes or on any other basis.

4. If the board or the members seek to have the amendment approved by the members at a membership meeting, the corporation shall give notice to its members of the proposed membership meeting in writing in accordance with section 355.251. The notice must also state that the purpose, or one of the purposes, of the meeting is to consider the proposed amendment and contain or be accompanied by a copy or summary of the amendment.

5. If the board or the members seek to have the amendment approved by the members by written consent or written ballot, the material soliciting the approval shall contain or be accompanied by a copy or summary of the amendment.

6. An amendment to the bylaws of a public benefit corporation, which is a church or a convention or association of churches, to be adopted must be approved:

(1) **By the members by two-thirds of the votes cast or a majority of the voting power, whichever is less; and**

(2) **In writing by any person or persons whose approval is required by a provision of the bylaws authorized by section 355.606.”; and**

Further amend said title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 261, Section 513.430, Line 8, by inserting immediately after said line the following:

“Section 1. Any member of the general assembly who has served at least fifteen years as a member of the general assembly and attains the age of sixty years or more, and who elects not to retire and continues to serve as a member of the general assembly, shall have added to the retirement compensation when the member dies or retires an amount equal to the total of all annual cost-of-living increases that retired members received between the time the member of the general assembly attains the age of sixty years or more and has fifteen years or more of service as a member of the general assembly, and the date that the member actually retires or dies. In no event shall the total increase in compensation granted pursuant to this section exceed sixty-five percent of the member's retirement compensation calculated at the time of retirement or death.”; and

Further amend the title and enacting clause of said bill accordingly.

Senate Substitute Amendment No. 1

for

Senate Committee Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1808, Page 1, In the Title, Line 22 of said title, by inserting immediately after the word "clause" the following: "for certain sections and a termination date"; and

Further amend said bill, Page 262, Section B, Line 23 of said page, by inserting immediately after said line the following:

"Section C. Section 169.596 shall terminate on June 30, 2003.".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 44**.

Senate Concurrent Resolution No. 44

WHEREAS, the general assembly is continually asked to act upon measures dealing with complex and controversial subjects; and

WHEREAS, such measures frequently require lengthy and comprehensive study and evaluation; and

WHEREAS, the committee system of evaluation of proposed legislation has proven its worth time and again to the entire membership of the general assembly:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, the House of Representatives concurring therein, that the standing committees of each house and such other committees of the Senate and House of Representatives as the president pro tem or the speaker shall designate may meet with the approval of the president pro tem or speaker, as the case may be, to consider bills or to perform any other necessary legislative function during the interim prior to the convening of the 91st general assembly; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the members of each committee incurred while attending meetings of those committees, and the expense of the research and clerical personnel assigned thereto, be paid from the appropriate House or Senate contingent fund.

In which the concurrence of the House is respectfully requested.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 1120: Representatives Franklin, Lakin, Green, Shields and Legan

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, May 4, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-third Day, Tuesday, May 2, 2000, pages 1168 and 1169, roll call, by showing Representative Boucher voting "aye" rather than "absent with leave".

Pages 1169 and 1170, roll call, by showing Representatives Boucher and Patek voting "aye" rather than "absent with leave".

Pages 1170 and 1171, roll call, by showing Representative Wright voting "no" rather than "absent with leave".

Page 1175, roll call, by showing Representative King voting "aye" rather than "absent with leave".

Page 1176, roll call, by showing Representative Reynolds voting "aye" rather than "no".

Page 1176, roll call, by showing Representatives Barry, Gibbons and Ross voting "aye" rather than "absent with leave".

Pages 1206 and 1207, roll call, by showing Representatives Gratz and Riback Wilson (25) voting "aye" rather than "absent with leave".

Page 1214, roll call, by showing Representative Wright voting "aye" rather than "absent with leave".

Pages 1215 and 1216, roll call, by showing Representative Wright voting "aye" rather than "absent with leave".

Pages 1220 and 1221, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Thursday, May 4, 2000. Side gallery upon morning adjournment.

Executive Session.

To be considered - SB 925

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 4, 2000, 8:00 am. Senate Committee Rooms 2 and 3.

To be considered - HB 1111, HB 1112

CRITICAL ISSUES

Thursday, May 4, 2000, 8:00 am. Hearing Room 5.

Executive Session may or may not follow.

To be considered - SB 959, SJR 31

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, May 4, 2000, 8:30 am. Hearing Room 1. Executive Session.

To be considered - SB 851, SB 926

FISCAL REVIEW

Thursday, May 4, 2000, 8:30 am. Hearing Room 3. (Fiscal Note).

To be considered - SB 678, SB 867, SB 902, SB 922, Executive Session - SJR 35

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Thursday, May 4, 2000. Side gallery upon morning adjournment.

To be considered - Executive Session - SCR 36

HOUSE CALENDAR

SIXTY-FIFTH DAY, THURSDAY, MAY 4, 2000

HOUSE CONCURRENT RESOLUTION FOR SECOND READING
HCR 39

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45, HCA 1 - Scheve
- 4 HJR 51 - Clayton

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HB 2102 - Hampton
- 3 HB 1066, HCA 1 - Riback Wilson (25)
- 4 HB 1280 - Clayton
- 5 HB 1502 - Smith
- 6 HCS HB 1547 - Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 8 HB 1546 - Smith
- 9 HCS HB 1606 - Bray
- 10 HCS HB 1225 - Hosmer
- 11 HCS HB 1540 - Green
- 12 HCS HB 1942 - Liese
- 13 HCS HB 1578 - Shelton
- 14 HB 2056 - Gunn
- 15 HCS HB 1718 - Smith
- 16 HCS HB 1966 - Hosmer
- 17 HCS HB 1997 - Smith
- 18 HCS HB 1336 - Lakin
- 19 HCS HB 1780 - Liese
- 20 HCS HB 1816 - Hosmer
- 21 HCS HB 1357 - Bonner
- 22 HB 1872 - Seigfreid
- 23 HCS HB 1674 - Graham (24)
- 24 HCS HB 1154 - Boucher
- 25 HCS HB 2114 - Hoppe
- 26 HCS HB 1649 - Williams (121)
- 27 HB 1216 - Kelly (27)
- 28 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1602, as amended - Leake
- 2 HCS HB 1932 - Harlan
- 3 HB 1712 - McKenna
- 4 HS HB 1394, as amended - Murray

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 23, (3-16-00, pg. 646) - Bray
- 2 HCR 28, (4-11-00, pg. 916) - Van Zandt
- 3 HCR 34, (5-1-00, pg. 1159) - Clayton
- 4 HCR 31, (5-1-00, pg. 1158) - Hollingsworth

HOUSE BILLS FOR THIRD READING

- 1 HS HB 2011 - Overschmidt
- 2 HS HCS HB 1888 - Wilson (42)
- 3 HB 1159 - Boucher

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 44

SENATE BILLS FOR THIRD READING

- 1 HCS SB 944 - Smith
- 2 HCS SB 896, E.C. - May (108)
- 3 HCS SB 724 - Farnen
- 4 SB 961, E.C. - Ransdall
- 5 HCS SB 858 - Smith
- 6 SCS SB 779 - Wiggins
- 7 SB 1053 - Days
- 8 HCS SS SCS SB 577 - Ransdall
- 9 HCS SB 741 - Backer
- 10 HCS SB 936, E.C. - Bray
- 11 HCS SS SCS SB 763, (Fiscal Review, 5-3-00) - Kissell
- 12 HCS SB 922, (Fiscal Review, 5-2-00) - Hagan-Harrell
- 13 HCS SS SCS SB 678 & 742, (Fiscal Review, 5-2-00) - May (108)
- 14 HCS SS SB 902, (Fiscal Review, 5-2-00) - Treadway
- 15 SCS SB 557 - Smith
- 16 SS SCS SB 867 & 552, (Fiscal Review, 5-2-00) - Rizzo

- 17 HCS SS#2 SCS SB 934, 546, 578, 579 & 782 - Hosmer
- 18 HCS SS#2 SCS SB 757 & 602 - Scheve
- 19 SCS SB 540 - Wiggins

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 HCS SB 856, Part III, IV & V to HS, a.a., pending - Harlan
- 2 HCS SCS SB 894 - Hoppe
- 3 HCS SB 788 - Barry
- 4 HCS SCS SB 542 - Hoppe

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1113 - Green
- 2 SCS HB 1121 - Franklin
- 3 SCS HB 1122 - Franklin
- 4 SCS HB 1097 - Hosmer
- 5 SCS HB 1739, E.C. - Auer
- 6 HB 1428, SCA 1, E.C. - Hickey
- 7 SCS HB 1604, E.C. - Graham (106)

BILL CARRYING REQUEST MESSAGES

HS HCS SB 881, as amended (req. House recede/grant conf.) - Hoppe

BILLS IN CONFERENCE

- 1 CCR SCS HCS HB 1109 - Franklin
- 2 CCR SCS HCS HB 1110, as amended - Franklin
- 3 SCS HCS HB 1111, as amended - Franklin
- 4 SCS HCS HB 1112, as amended - Franklin
- 5 SCS HS HCS HB 1742, as amended - Koller
- 6 SCS HB 1591 - Backer
- 7 HS HCS SS SB 549, as amended - Van Zandt
- 8 HCS SS SB 813, as amended - Kissell
- 9 SCS HCS HB 1120, as amended - Franklin

HOUSE RESOLUTIONS

- 1 HR 557, (5-1-00, pg. 1160) - Gratz
- 2 HR 504, (5-1-00, pg. 1159) - Gratz

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTY-FIFTH DAY, THURSDAY, MAY 4, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father Frederick Elskamp, St. Joseph Cathedral, Jefferson City.

Holy God, Creator of the universe, author of all truth, goodness, and life, we thank You for Your creation. We thank You for this beautiful day, and for this hour when we convene for the common good. We are called together by the people of Missouri to decide concerning important matters of state, which will affect many people.

Give us, we pray, wisdom; give us discernment; give us a sense of justice for all; for the rich and the poor, for the very old and the very young; the powerful and for the very weak. For those who will vote for us, and for those who will vote for our opponents. May we be fair and loving toward all. Help us to be **honest** with ourselves, with You, and honest with one another.

May we, then, be blessed today in our labors, and may we be a blessing for one another, and for all. And may we praise You, who deserve all praise and glory and honor. For the Kingdom is Yours, and the power, and the glory - forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Christa Gilbert, Brandon Hamilton, Daniel King, Emily Werner and Kayle Anne Mosby.

Representative Smith assumed the Chair.

Speaker Pro Tem Kreider resumed the Chair.

Representative Crump moved that the Journal of the sixty-fourth day be approved as corrected.

Representative Shields raised a point of order that pursuant to Rule 94, the thirty minute time limit on the roll call had expired.

The Chair ruled the point of order well taken.

Representative Crump again moved that the Journal of the sixty-fourth day be approved as corrected.

Which motion was defeated by the following vote:

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AYES: 071

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Britt	Brooks
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Farnen	Fitzwater	Foley
Franklin	Gambaro	George	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hollingsworth	Hoppe	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lawson	Leake	Liese
Luetkenhaus	May 108	McBride	McKenna	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Seigfreid	Selby	Shelton
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 159	Wilson 42
Mr. Speaker				

NOES: 076

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kasten	Kelley 47	King	Klindt	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Summers	Surface	Townley	Tudor	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 015

Bray 84	Campbell	Ford	Fraser	Graham 24
Hilgemann	Hosmer	Lakin	Mays 50	McLuckie
Schilling	Skaggs	Stokan	Williams 121	Wilson 25

VACANCIES: 001

Representative Shields raised a point of order that the House cannot proceed with further business of the House pursuant to Rule 2(c).

The Chair ruled the point of order not well taken.

Speaker Gaw assumed the Chair.

Representative Shields, having voted on the prevailing side, moved that the vote by which the approval of the Journal for the sixty-fourth day was defeated, be reconsidered.

Which motion was adopted by the following vote:

AYES: 125

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Berkowitz	Berkstresser	Black
Bonner	Boucher 48	Boykins	Britt	Brooks
Burton	Campbell	Champion	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham 106	Graham 24	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Kasten
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Long	Luetkenhaus
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Pouche 30	Pryor
Ransdall	Reid	Relford	Reynolds	Richardson
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Seigfreid
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 034

Ballard	Bartelsmeyer	Bartle	Bennett	Blunt
Boatright	Chrismer	Cierpiot	Dolan	Elliot
Enz	Evans	Gibbons	Gratz	Gross
Hanaway	Hendrickson	Hohulin	Howerton	Kelley 47
Linton	Loudon	Luetkemeyer	Marble	Miller
Murphy	Phillips	Purgason	Reinhart	Ridgeway
Secrest	Selby	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 003

Bray 84	Lograsso	Stokan
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VACANCIES: 001

The Journal of the sixty-fourth day was approved as corrected by the following vote:

AYES: 111

Abel	Auer	Backer	Barnett	Barry 100
Berkowitz	Black	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Kasten	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Liese	Long
Luetkenhaus	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Pryor	Ransdall
Reid	Relford	Reynolds	Richardson	Riley

Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 049

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Bennett	Berkstresser	Blunt	Boatright	Champion
Chrismer	Cierpiot	Dolan	Elliott	Enz
Evans	Foster	Froelker	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hendrickson	Hohulin
Howerton	Kelley 47	Legan	Levin	Linton
Lograsso	Loudon	Luetkemeyer	Marble	Murphy
Naeger	Patek	Phillips	Pouche 30	Purgason
Reinhart	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 002

Ford Stokan

VACANCIES: 001

Representative Scheve assumed the Chair.

Speaker Gaw resumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1462 - Representative Leake
House Resolution No. 1463
and
House Resolution No. 1464 - Representative Hampton
House Resolution No. 1465 - Representative Thompson
House Resolution No. 1466
and
House Resolution No. 1467 - Representative Ransdall
House Resolution No. 1468
through
House Resolution No. 1481 - Representative Levin
House Resolution No. 1482 - Representative Ross
House Resolution No. 1483 - Representative Secrest
House Resolution No. 1484 - Representative Berkowitz
House Resolution No. 1485 - Representative Sallee
House Resolution No. 1486 - Representative Nordwald
House Resolution No. 1487
through
House Resolution No. 1491 - Representative Relford

House Resolution No. 1492
and
House Resolution No. 1493 - Representative Wiggins

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 39 was read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 44 was read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 902 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 922 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1097, relating to trespass, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SCS HB 1097** was adopted by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boykins	Bray 84	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reinhart	Relford	Reynolds

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Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schilling	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Wagner	Ward
Wiggins	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Hohulin

PRESENT: 003

Hanaway	Reid	Riley
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ABSENT WITH LEAVE: 007

Barnett	Pryor	Sallee	Schwab	Stokan
Vogel	Williams 121			

VACANCIES: 001

On motion of Representative Hosmer, **SCS HB 1097** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Hohulin

PRESENT: 002

Brooks	Riley
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ABSENT WITH LEAVE: 009

Franklin	Graham 24	Hanaway	Loudon	Murray
Pryor	Richardson	Stokan	Williams 121	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Britt moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1739, relating to life insurance, was taken up by Representative Auer.

On motion of Representative Auer, **SCS HB 1739** was adopted by the following vote:

AYES: 156

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

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ABSENT WITH LEAVE: 006

Boucher 48	Franklin	Hosmer	Kasten	Luetkemeyer
Stokan				

VACANCIES: 001

On motion of Representative Auer, **SCS HB 1739** was truly agreed to and finally passed by the following vote:

AYES: 156

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Cierpiot	Franklin	Hosmer	King	Pryor
Stokan				

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 105

Abel	Auer	Backer	Barry 100	Bennett
Berkowitz	Berkstresser	Blunt	Bonner	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Evans	Farnen	Foley	Foster
Franklin	Fraser	Gambaro	George	Graham 106
Graham 24	Gratz	Green	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Kelly 27	Kissell	Klindt	Koller
Kreider	Lawson	Leake	Legan	Liese
Long	Marble	May 108	Mays 50	McBride
McKenna	McLuckie	Monaco	Murray	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Parker
Patek	Purgason	Ransdall	Relford	Reynolds
Richardson	Riley	Rizzo	Scheve	Schilling
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 047

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Black	Boatright	Chrismer	Cierpiot
Enz	Froelker	Gaskill	Gibbons	Griesheimer
Hanaway	Hendrickson	Hohulin	Howerton	Kasten
Kelley 47	Kennedy	King	Levin	Linton
Lograsso	Loudon	Luetkemeyer	McClelland	Merideth
Miller	Murphy	Myers	Ostmann	Phillips
Pouche 30	Pryor	Reid	Reinhart	Ridgeway
Robirds	Ross	Schwab	Secrest	Townley
Tudor	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 010

Brooks	Fitzwater	Ford	Hosmer	Lakin
Luetkenhaus	Sallee	Stokan	Troupe	Van Zandt

VACANCIES: 001

On motion of Representative Gambaro, title to the bill was agreed to.

Representative Berkowitz moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

HB 1428, with Senate Committee Amendment No. 1, Senate Committee Amendment No. 2 and Senate Committee Amendment No. 3, relating to memorial for injured or killed workers, was taken up by Representative Hickey.

Representative Hickey moved that the House concur in **Senate Committee Amendment No. 1, Senate Committee Amendment No. 2 and Senate Committee Amendment No. 3.**

Representative Reid made a substitute motion that the House concur in **Senate Committee Amendment No. 2** and **Senate Committee Amendment No. 3** and defeat **Senate Committee Amendment No. 1**.

Representative Foley raised a point of order that the substitute motion is a negative motion.

The Chair ruled the point of order well taken.

Representative Patek made a substitute motion that the House concur in **Senate Committee Amendment No. 2** and **Senate Committee Amendment No. 3** and request the Senate to recede from its position on **Senate Committee Amendment No. 1** or, failing to do so, grant the House a conference.

The Chair ruled the substitute motion out of order.

Representative Hickey again moved that the House concur in **Senate Committee Amendment No. 1**, **Senate Committee Amendment No. 2** and **Senate Committee Amendment No. 3** to **HB 1428**.

Which motion was adopted by the following vote:

AYES: 117

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Berkowitz	Berkstresser	Black	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Cierpiot	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Gambaro	George	Graham 106	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 124	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Howerton	Kelly 27	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Liese	Long	Loudon
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Ransdall	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 040

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Blunt	Boatright	Champion	Chrismer	Crawford
Enz	Froelker	Gaskill	Gibbons	Griesheimer
Gross	Hanaway	Hartzler 123	Hegeman	Hendrickson
Hohulin	Holand	Kasten	Kelley 47	King
Levin	Linton	Luetkemeyer	Marble	McClelland
Miller	Murphy	Myers	Nordwald	Patek
Phillips	Pouche 30	Pryor	Purgason	Summers

PRESENT: 001

Reid

ABSENT WITH LEAVE: 004

Lograsso Sallee Stokan Williams 121

VACANCIES: 001

On motion of Representative Hickey, **HB 1428, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boucher 48	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
Gibbons	Graham 106	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 008

Alter	Bartelsmeyer	Boatright	Hohulin	Luetkemeyer
Myers	Phillips	Pouche 30		

PRESENT: 000

ABSENT WITH LEAVE: 007

Bonner	George	Green	Lograsso	Naeger
Pryor	Stokan			

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was defeated by the following vote:

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AYES: 108

Abel	Auer	Backer	Barnett	Barry 100
Berkowitz	Black	Blunt	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Farnen	Fitzwater	Foley	Foster
Franklin	Fraser	Gambaro	George	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hegeman	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Howerton	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Legan	Long	Loudon	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	Nordwald	O'Connor	Overschmidt	Parker
Patek	Ransdall	Reid	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Vogel	Wagner	Ward	Wiggins	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 043

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Berkstresser	Boatright	Chrismer	Cierpiot	Elliott
Enz	Evans	Froelker	Gaskill	Gibbons
Hanaway	Hartzler 124	Hendrickson	Hohulin	Holand
Kasten	Kelley 47	King	Klindt	Levin
Linton	Luetkemeyer	McClelland	Miller	Murphy
Myers	Naeger	Ostmann	Phillips	Pouche 30
Pryor	Purgason	Richardson	Ridgeway	Robirds
Ross	Sallee	Wright		

PRESENT: 001

Bennett

ABSENT WITH LEAVE: 010

Ford	Liese	Lograsso	Luetkenhaus	Marble
O'Toole	Reinhart	Stokan	Van Zandt	Williams 121

VACANCIES: 001

On motion of Representative Mays (50), title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1604, relating to land conveyance, was taken up by Representative Graham (106).

On motion of Representative Graham (106), **SCS HB 1604** was adopted by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Howerton	Kasten
Kelley 47	Kelly 27	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 009

Berkstresser	Franklin	Green	Hosmer	Kennedy
Lograsso	Pryor	Stokan	Townley	

VACANCIES: 001

On motion of Representative Graham (106), **SCS HB 1604** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Howerton

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Kasten	Kelley 47	Kelly 27	King	Kissell
Klindt	Koller	Kreider	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Hanaway	Hohulin	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 007

Bonner	Hosmer	Kennedy	Lakin	Lograsso
Sallee	Stokan			

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Boykins	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Foster	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway

Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 005

Boatright	Hanaway	Hohulin	Phillips	Riley
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 008

Bray 84	Dolan	Ford	Franklin	Green
Hosmer	Lograsso	Stokan		

VACANCIES: 001

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Skaggs moved that the vote by which the bill passed be reconsidered.

Representative Selby moved that motion lay on the table.

The latter motion prevailed.

RECONSIDERATION

Representative Ransdall, having voted on the prevailing side, moved that the vote by which **SCS HCS HB 1142, as amended**, was truly agreed to and finally passed, be reconsidered.

Which motion was adopted by the following vote:

AYES: 153

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway

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Riley	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Hohulin Robirds

PRESENT: 000

ABSENT WITH LEAVE: 007

Blunt	Green	Hosmer	Lakin	Lograsso
Patek	Stokan			

VACANCIES: 001

Representative Ransdall, having voted on the prevailing side, moved that the vote by which **SCS HCS HB 1142, as amended**, was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 154

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Blunt	Cierpiot	Green	Hosmer	Lakin
Lograsso	Patek	Stokan		

VACANCIES: 001

Representative Ransdall moved that the House refuse to adopt **SCS HCS HB 1142, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Representative Dougherty assumed the Chair.

Speaker Gaw resumed the Chair.

BILLS IN CONFERENCE

CCR SCS HCS HB 1109, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **CCR SCS HCS HB 1109** was adopted by the following vote:

AYES: 086

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Robirds	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Gratz	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kelley 47	King	Klindt	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway

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Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 001

Legan

ABSENT WITH LEAVE: 003

Holand	Murphy	Stokan
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VACANCIES: 001

On motion of Representative Troupe, **CCS SCS HCS HB 1109** was read the third time and passed by the following vote:

AYES: 122

Abel	Alter	Auer	Backer	Barnett
Barry 100	Bartle	Berkowitz	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Enz	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	George	Graham 106	Graham 24	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 124	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Lograsso	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Pouche 30
Ransdall	Reid	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 034

Akin	Ballard	Bartelsmeyer	Bennett	Berkstresser
Blunt	Boatright	Crawford	Dolan	Elliott
Evans	Gaskill	Gibbons	Gratz	Hartzler 123
Hegeman	Hohulin	Linton	Long	Loudon
Luetkemeyer	Marble	Naeger	Patek	Phillips
Pryor	Purgason	Reinhart	Richardson	Sallee
Scott	Secrest	Surface	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Black	Hanaway	Myers	Relford	Reynolds
Stokan				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative George, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1110, as amended, relating to appropriations, was taken up by Representative Riback Wilson (25).

Representative Riback Wilson (25) moved that **CCR SCS HCS HB 1110, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 073

Abel	Auer	Backer	Berkowitz	Boucher 48
Boykins	Bray 84	Britt	Brooks	Campbell
Clayton	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Farnen	Fitzwater	Foley
Franklin	Fraser	Gambaro	George	Graham 24
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Riley
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 081

Akin	Alter	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bennett	Berkstresser	Black
Blunt	Boatright	Bonner	Burton	Champion
Chrismer	Cierpiot	Crawford	Dolan	Elliott
Enz	Evans	Foster	Froelker	Gaskill
Gibbons	Graham 106	Gratz	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Hoppe	Howerton	Kelley 47
Kelly 27	King	Klindt	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Myers
Naeger	Nordwald	Ostmann	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Summers
Surface	Townley	Tudor	Vogel	Ward
Wright				

PRESENT: 002

Patek	Shields
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ABSENT WITH LEAVE: 006

Ford
Stokan

Hosmer

Kasten

Monaco

Murphy

VACANCIES: 001

Representative Riback Wilson (25) moved that the House refuse to adopt **CCR SCS HCS HB 1110, as amended**, and request the Senate to grant the House a further conference.

Representative Lograsso made a substitute motion that the House refuse to adopt **CCR SCS HCS HB 1110, as amended**, and request the Senate grant the House further conference thereon, and that the House conferees be bound to the House position on Sections 10.110 and 10.415 and to the conference report on the rest of the bill.

The substitute motion was withdrawn.

Representative Lograsso made a substitute motion that the House refuse to adopt **CCR SCS HCS HB 1110, as amended**, and request the Senate to grant the House further conference thereon, and that the House conferees be bound on the conference committee report except in Sections 10.110 and 10.415.

Which motion was adopted.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS#2 SCS SBs 757 & 602 - Fiscal Review (Fiscal Note)

HCS SCS SB 842 - Fiscal Review (Fiscal Note)

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1120, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1486**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1568**, entitled:

An act to repeal section 210.030, RSMo Supp. 1999, relating to women's health, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1596**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1848**, entitled:

An act to repeal sections 324.130 and 334.040, RSMo Supp. 1999, relating to licensing of health practitioners, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1106**, as **amended**, and has taken up and passed **CCS HB 1106**.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1120**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1120, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1120.
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1120.
3. That the attached Conference Committee Substitute for House Bill No. 1120, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Timothy P. Green
/s/ Scott Lakin
/s/ Charlie Shields
/s/ Ken Legan

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1742**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, with Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, and Senate Amendment No. 6, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1742, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1742;
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ Steve Gaw
/s/ Don Koller
/s/ Timothy P. Green
/s/ Cindy Ostmann
/s/ Jewell Patek

FOR THE SENATE:

/s/ James Mathewson
/s/ Danny Staples
/s/ John Scott
/s/ John Russell
/s/ Morris Westfall

On motion of Representative Crump, the House recessed until 4:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Smith.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Evan Holden and Scott McIlroy.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 128

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hartzler 123	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelly 27	Kennedy
Kissell	Klindt	Koller	Kreider	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murphy	Murray	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Pouche 30
Pryor	Ransdall	Reid	Relford	Reynolds
Richardson	Riley	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Wagner	Ward	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 014

Bartle	Blunt	Champion	Kelley 47	Luetkemeyer
Miller	Myers	Patek	Phillips	Purgason
Reinhart	Ridgeway	Wiggins	Wright	

PRESENT: 007

Bennett	Foster	Hartzler 124	King	Lograsso
Loudon	Robirds			

ABSENT WITH LEAVE: 013

Evans	Froelker	Hanaway	Harlan	Hohulin
Kasten	Lakin	Marble	Scott	Smith
Stokan	Vogel	Williams 121		

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1494 - Representative Summers
House Resolution No. 1495 - Representative Brooks, et al
House Resolution No. 1496 - Representative Bartelsmeyer
House Resolution No. 1497
and
House Resolution No. 1498 - Representative Van Zandt
House Resolution No. 1499
and
House Resolution No. 1500 - Representative Foley
House Resolution No. 1501 - Representative Williams (121)

Speaker Pro Tem Kreider resumed the Chair.

Representative Franklin moved that Rule 26 be suspended to allow the House conferees to meet on the Budget bills while the House is in session on May 4, 2000.

Which motion was adopted by the following vote:

AYES: 132

Abel	Akin	Alter	Auer	Barnett
Barry 100	Bartelsmeyer	Bennett	Berkowitz	Berkstresser
Black	Bonner	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Elliott	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hampton	Hartzler 123
Hartzler 124	Hegeman	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lawson	Leake
Legan	Levin	Liese	Long	Luetkemeyer
Luetkenhaus	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Phillips	Pouche 30
Pryor	Ransdall	Reid	Relford	Reynolds
Richardson	Riley	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 017

Ballard	Bartle	Blunt	Boatright	Cierpiot
Dolan	Enz	Hanaway	Hendrickson	Loudon
Miller	Murphy	Purgason	Reinhart	Ridgeway
Robirds	Wright			

PRESENT: 001

Patek

ABSENT WITH LEAVE: 012

Backer	Boucher 48	Evans	Hagan-Harrell	Harlan
Hosmer	Lakin	Linton	Lograsso	Marble
Stokan	Williams 121			

VACANCIES: 001

THIRD READING OF HOUSE BILLS

HS HB 2011, relating to property tax, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, **HS HB 2011** was read the third time and passed by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliot	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 001

Reid

ABSENT WITH LEAVE: 010

Backer	Berkstresser	Cierpiot	Crawford	Evans
Harlan	Lakin	Marble	Stokan	Williams 121

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Seigfreid, title to the bill was agreed to.

Representative Wilson (42) moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

HS HCS HB 1888, relating to loan repayment assistance for teachers, was taken up by Representative Wilson (42).

On motion of Representative Wilson (42), **HS HCS HB 1888** was read the third time and passed by the following vote:

AYES: 127

Abel	Auer	Barnett	Barry 100	Bartelsmeyer
Bartle	Berkowitz	Black	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambara	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hartzler 123
Hartzler 124	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Liese	Linton	Loudon	Luetkemeyer	Luetkenhaus
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Ransdall
Reid	Relford	Reynolds	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 020

Akin	Alter	Ballard	Boatright	Crawford
Gaskill	Hanaway	Hegeman	Hohulin	Levin
Lograsso	Phillips	Pouche 30	Pryor	Purgason
Ridgeway	Robirds	Shields	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 015

Backer	Bennett	Berkstresser	Cierpiot	Evans
Harlan	Kasten	Legan	Long	Marble
Murphy	Reinhart	Richardson	Stokan	Williams 121

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Parker moved that the vote by which the bill passed be reconsidered.

Representative Seigfreid moved that motion lay on the table.

The latter motion prevailed.

HB 1159, relating to taxation, was taken up by Representative Boucher.

On motion of Representative Boucher, **HB 1159** was read the third time and passed by the following vote:

AYES: 145

Abel	Akin	Alter	Auer	Barnett
Barry 100	Bartelsmeyer	Bartle	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Days	Dolan
Dougherty	Elliott	Enz	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kennedy	King
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McKenna
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

McLuckie Schilling

PRESENT: 001

McClelland

ABSENT WITH LEAVE: 014

Backer	Ballard	Bennett	Champion	Davis 63
Evans	Harlan	Kasten	Kelly 27	Klindt
Shields	Stokan	Summers	Williams 121	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Wagner, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1113, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **SCS HCS HB 1113** was adopted by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Ballard
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 004

Hanaway	Hohulin	Murphy	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 006

Backer	Barnett	Evans	Harlan	Stokan
Williams 121				

VACANCIES: 001

On motion of Representative Green, **SCS HCS HB 1113** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Akin	Alter	Auer	Ballard
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hampton
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naege
Nordwald	O'Connor	O'Toole	Ostmann	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 005

Cierpiot	Hanaway	Hohulin	Murphy	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 008

Backer	Barnett	Evans	Hagan-Harrell	Harlan
Overschmidt	Stokan	Wiggins		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Lawson, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Riley moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1121, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **SCS HB 1121** was adopted by the following vote:

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AYES: 148

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bennett	Berkowitz	Berkstresser
Black	Bonner	Boucher 48	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 010

Bartelsmeyer	Bartle	Blunt	Boatright	Boykins
Cierpiot	Hanaway	Hohulin	Loudon	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Backer	Evans	Harlan	Stokan
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VACANCIES: 001

On motion of Representative Franklin, **SCS HB 1121** was truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bennett	Berkowitz	Berkstresser
Black	Bonner	Boucher 48	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson

Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 010

Bartelsmeyer	Bartle	Blunt	Boatright	Boykins
Hanaway	Hohulin	Loudon	Murphy	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Backer	Evans	Harlan	Sallee	Stokan
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VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Hollingsworth, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1122, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **SCS HB 1122** was adopted by the following vote:

AYES: 149

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan

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Levin	Liese	Linton	Long	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 007

Bartelsmeyer	Cierpiot	Hanaway	Hohulin	Loudon
Murphy	Purgason			

PRESENT: 000

ABSENT WITH LEAVE: 006

Backer	Bray 84	Evans	Lograsso	Stokan
Summers				

VACANCIES: 001

On motion of Representative Franklin, **SCS HB 1122** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 004

Bartelsmeyer Hanaway Hohulin Murphy

PRESENT: 000

ABSENT WITH LEAVE: 005

Backer Evans Lograsso Stokan Summers

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Lakin, title to the bill was agreed to.

Representative Hampton moved that the vote by which the bill passed be reconsidered.

Representative Harlan moved that motion lay on the table.

The latter motion prevailed.

BILL IN CONFERENCE

Representative Crump moved that Rule 60(c) be suspended for the purpose of taking up **CCR SCS HCS HB 1120**.

Which motion was adopted by the following vote:

AYES: 149

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel

Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 005

Hendrickson	Hohulin	Murphy	Purgason	Ridgeway
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PRESENT: 000

ABSENT WITH LEAVE: 008

Backer	Evans	Harlan	Hosmer	Legan
Lograsso	Stokan	Summers		

VACANCIES: 001

CCRSCS HCS HB 1120, relating to appropriations, was taken up by Representative Franklin and placed on the Informal Calendar.

THIRD READING OF SENATE BILL

HCS SB 944, relating to school safety, was taken up by Representative Smith.

Representative Smith offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 944, Page 6, Section 160.522, Line 9 on said page, by inserting immediately after the word “**suspensions**” the following:

“**of ten days or longer**”; and

Further amend said bill, Page 16, Section 167.020, Line 47, by deleting the words “forty-eight hours” and by inserting in lieu thereof the words “**two business days**”.

On motion of Representative Smith, **House Amendment No. 1** was adopted.

Representative Relford offered **House Amendment No. 2**.

Representative Smith raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Smith offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 944, Page 18, Section 167.115, Line 38, by deleting the words: “**The superintendent or the designee of**”; and

Further amend said bill, Page 18, Section 167.115, Lines 39 through 41, by deleting all of said lines; and

Further amend said bill, Page 18, Section 167.115, Line 56, by inserting immediately at the end of said line the following:

“8. The superintendent or the designee of the superintendent or other school employee who, in good faith, reports information in accordance with the terms of this section and section 160.261, RSMo, shall not be civilly liable for providing such information.”.

Representative Relford raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Smith, **House Amendment No. 2** was adopted.

Representative Kreider offered **House Amendment No. 3**.

Representative Smith raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Seigfreid offered **House Amendment No. 3**.

Representative Marble raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative May (108) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 944, Page 27, Section 569.155, Line 11, by inserting immediately after said line the following:

“571.030. 1. A person commits the crime of unlawful use of weapons if he **or she** knowingly:

(1) Carries concealed upon or about his **or her** person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, RSMo, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Possesses or discharges a firearm or projectile weapon while intoxicated; or

(6) Discharges a firearm within one hundred yards of any occupied school house, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people

have assembled for worship, [or into any school,] or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof, or into any public assemblage of persons met for any lawful purpose; [or]

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, RSMo, while within any city, town, or village, and discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; **or**

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board, unless the person is participating in a school-sanctioned firearm-related event.

2. Subdivisions (1), (3), (4), (6), (7), (8) [and] , (9) **and (10)** of subsection 1 of this section shall not apply to or affect any of the following:

(1) All state, county and municipal law enforcement officers possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole; and

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340, RSMo.

3. Subdivisions (1), (5) [and] , (8) **and (10)** of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his dwelling unit or upon business premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. **Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school.**

4. Unlawful use of weapons is a class D felony unless committed [under] **pursuant to** subdivision (5), (6), (7) or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, **or subdivision (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded,** or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

5. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

6. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Smith raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative May (108), **House Amendment No. 3** was adopted.

Representative Hollingsworth offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 944, Page 15, Section 167.020, Line 12, by inserting after the word "parent" the following: ", **military guardian pursuant to a military-issued guardianship**"; and

Further amend said bill, Page 16, Section 167.020, Line 34, by inserting after the word "parent" the following: ", **military guardian**"; and

Further amend said bill, Page 16, Section 167.020, Line 35, by inserting after the word "parent" the following: ", **military guardian**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hollingsworth, **House Amendment No. 4** was adopted.

Representative Hendrickson offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 944, Page 17, Section 167.020, Line 75, by inserting after all of said line the following:

"167.023. Prior to admission to any public school, a school board may require the parent, guardian, or other person having control or charge of a child of school age to provide, upon enrollment, a sworn statement or affirmation indicating whether the student has been expelled from school attendance at any school, **public or private**, in this state or in any other state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person. Any person making a materially false statement or affirmation shall be guilty upon conviction of a class B misdemeanor. The registration document shall be maintained as a part of the student's scholastic record."; and

Further amend said bill, Page 20, Section 167.171, Line 29, by inserting after the following: "167.161]" the following:

"**regardless of whether or not such act was committed at a public school or at a private school in this state, provided that such act shall have resulted in the suspension or expulsion of such pupil in the case of a private school**"; and

Further amend said bill, Page 20, Section 167.171, Line 33, by inserting after the word "that" the following: "**school or**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hendrickson, **House Amendment No. 5** was adopted.

Representative Ward offered **House Amendment No. 6**.

Representative Smith raised a point of order that **House Amendment No. 6** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Patek offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 944, Page 28, Section 165.016, Line 15, by inserting after all of said line the following:

"166.485. 1. Beginning July 1, 2001, the department of elementary and secondary education shall provide a four-year competitive grant program to fund, or defray the cost of, establishment or expansion of student suicide prevention programs. Such programs may also include teacher and administrator training in suicide prevention programs. Such programs may be operated at the district or building level and, if operated, shall be operated at a public elementary or secondary school of this state.

2. Prior to July 1, 2001, the department of elementary and secondary education shall promulgate rules including but not limited to eligibility criteria, how applicant priority is established, the manner in which grant funds may or may not be used, proposed methods and documents of cooperation with the host school or school district in the case of nonschool applicants pursuant to subsection 3 of this section, and the form of grant applications.

3. Grants for the establishment or expansion of student suicide prevention programs may be applied for by either public schools, school districts, political subdivisions, corporations registered pursuant to the laws of this state, partnerships registered pursuant to the laws of this state or not for profit corporations as that term is defined in section 501(c)(3) of the Internal Revenue Code of 1986, as amended. In the case of applicants other than schools or school districts, such applicants shall accompany the grant application with a document of cooperation, approved by the department and signed by either the principal of a public school or by the superintendent of a school district, stating that the school or district shall furnish space and time for such program and stating the manner in which such program will be made available to its students.

4. In its grant application the school, school district, political subdivision, corporation, partnership or not for profit corporation shall describe any current or any proposed suicide prevention program, show a need for an improved suicide prevention program in the case of an existing program, and explain how it proposes to implement or improve its program with grant funds.

5. The grantee pursuant to this section shall make a report on its suicide prevention program after the second year of the grant to receive funds for years three and four. As part of the mid-grant progress report, the grantee shall report the progress of the program's development, as evidenced by the program's compliance with the original stated goals of the program. The department shall develop rules to determine compliance pursuant to this subsection, allowing for flexibility in application to varying grant projects but supplying rigorous standards so that compliance is measurable and meaningful in the context of the individual grant project.

6. Grants are renewable for an additional four-year term, based in part upon the results of the first grant.

7. Grants shall be distributed in equal amounts within geographic areas established proportionately based upon student population; provided that, funds may be reallocated by the department if an area has

insufficient applications or insufficient eligible applications to obligate all funds for the area.

8. No rule or portion of a rule promulgated pursuant to this section shall take effect unless such rule has been promulgated pursuant to chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith raised a point of order that **House Amendment No. 6** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Patek, **House Amendment No. 6** was adopted by the following vote:

AYES: 140

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Britt	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Dolan	Dougherty
Elliott	Enz	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
Gibbons	Graham 106	Graham 24	Green	Griesheimer
Gross	Gunn	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McClelland	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 016

Bray 84	Davis 63	Days	Farnen	Fitzwater
George	Gratz	Hagan-Harrell	Harlan	Hollingsworth
McBride	McLuckie	Murray	Schilling	Shelton
Van Zandt				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 005

Backer	Boykins	Evans	Long	Stokan
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VACANCIES: 001

Representative Hanaway offered **House Amendment No. 7**.

Representative Smith raised a point of order that **House Amendment No. 7** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Levin offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 944, Page 28, Section 574.150, Line 15, by inserting immediately after said line the following:

“Section 1. All public schools shall ensure that a criminal background check and child abuse registry check are conducted for each employee of the public school before the hiring of the employee. All public schools must conduct these checks on their existing school employees by January 1, 2001. The costs of these checks conducted after August 28, 2000 shall be funded through the Department of Elementary and Secondary Education.”; and

Further amend by amending the title and enacting clause accordingly.

Representative Relford raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Britt assumed the Chair.

Representative Hollingsworth offered **House Substitute Amendment No. 1 for House Amendment 7**.

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Committee Substitute for Senate Bill No. 944, Page 28, Section 574.150, Line 15, by inserting immediately after said line the following:

“Section 1. All public schools shall have a criminal background check and child abuse registry check conducted for each noncertified employee of the public school before the hiring of the employee through the Family Care Safety Registry. All public schools may conduct these checks on their existing school employees through the Family Care Safety Registry. The costs of these checks conducted after August 28, 2000 shall be funded through the Department of Elementary and Secondary Education.”; and

Further amend by amending the title and enacting clause accordingly.

On motion of Representative Hollingsworth, **House Substitute Amendment No. 1 for House Amendment No. 7** was adopted by the following vote:

AYES: 147

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Clayton
Crawford	Crump	Curls	Davis 63	Days
Dolan	Dougherty	Elliott	Evans	Farnen
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 006

Boatright	Davis 122	Fitzwater	Harlan	McLuckie
Robirds				

PRESENT: 000

ABSENT WITH LEAVE: 009

Backer	Cierpiot	Enz	Long	Murphy
Stokan	Townley	Van Zandt	Williams 121	

VACANCIES: 001

Speaker Gaw resumed the Chair.

Representative Gambaro offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 944, Page 28, Section 574.150, Line 15, by inserting immediately at the end of said section and line, the following:

“Section 1. Charter, private and parochial schools shall not be civilly liable for providing to other schools any information required to be provided pursuant to this act.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Gambaro, **House Amendment No. 8** was adopted.

Representative Shields offered **House Amendment No. 9**.

Representative Hollingsworth raised a point of order that **House Amendment No. 9** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 944, Page 2, Section 160.261, Line 43, by inserting immediately after said line the following:

“(20) **First degree child molestation under 566.067;**
 (21) **Deviate sexual assault under 566.070;**
 (22) **Sexual misconduct involving a child under 566.083;**
 (23) **Sexual abuse under 566.100;”**; and

Further amend said section by renumbering the paragraphs accordingly; and

Further amend said bill, Page 18, Section 167.115, Line 24, by inserting immediately after said line the following:

“(19) **First degree child molestation under 566.067;**
 (20) **Deviate sexual assault under 566.070;**
 (21) **Sexual misconduct involving a child under 566.083;**
 (22) **Sexual abuse under 566.100;”**; and

Further amend said section by renumbering the paragraphs accordingly.

On motion of Representative Reid, **House Amendment No. 9** was adopted by the following vote:

AYES: 146

Akin	Alter	Auer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Levin	Liese	Linton	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek

Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Treadway
Troupe	Tudor	Vogel	Wagner	Ward
Wiggins	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Abel	Backer	Elliott	Evans	Foster
Hartzler 124	Legan	Lograsso	Long	McLuckie
Murphy	Pryor	Stokan	Townley	Van Zandt
Williams 121				

VACANCIES: 001

Representative Gratz offered **House Amendment No. 10**.

Representative Smith raised a point of order that **House Amendment No. 10** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Patek offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 944, Page 7, Section 160.522, Line 36, by inserting after all of said line the following:

"160.635. 1. There is hereby established a "Safe Schools Blue Ribbon Award", which the governor may award to any of the top twenty school districts in this state, as determined by safe schools criteria developed by the state board of education pursuant to this section. On or before July 1, 2001, the state board of education shall develop the criteria for this award, which may include but shall not be limited to:

(1) Any school facilities and safety criteria previously developed by the state board of education for school district accreditation pursuant to the Missouri school improvement program or its successor document;
(2) The number of crimes committed per year on school property during school hours; and
(3) The number and quality of crime prevention programs, drug prevention programs or other similar programs.

2. In addition to referring the top twenty school districts to the governor for eligibility for the safe schools blue ribbon award, the state board of education shall also issue a report to the governor and to the general assembly which identifies the twenty school districts that attained the lowest score pursuant to the award criteria. The state board shall, in such report, issue recommendations for school safety improvements in each such district, including but not limited to the resources, intervention programs or other assistance that each district may use to improve its rating pursuant to this section.

3. No rule or portion of a rule promulgated pursuant to this section shall take effect unless such rule has been promulgated pursuant to chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Patek moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Gaskill offered **House Amendment No. 11**.

Representative Smith raised a point of order that **House Amendment No. 11** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Barry offered **House Amendment No. 11**.

Representative Smith raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Relford offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 944, Page 21, Section 167.171, Line 80, by adding after all of said line the following:

“168.142. 1. If an employee or school board member has direct knowledge that a certificate holder has committed an act that would be a sexual offense pursuant to chapter 566, RSMo, a drug offense pursuant to chapter 195, RSMo, or child abuse pursuant to section 568.060, RSMo, that employee or school board member shall report such act of such certificate holder to the district superintendent and to the appropriate local law enforcement agency as soon as is reasonably practicable. Upon receiving a report of such act the superintendent shall notify the department of elementary and secondary education of such act.

2. If a local board of education has a written policy that substantially complies with the provisions of subsection 1 of this section, then any employee or school board member who follows that written policy shall be deemed to have complied with the provisions of subsection 1 of this section.

3. Any employee or school board member acting in conformity with either the provisions of subsection 1 of this section or any substantially complying policy pursuant to subsection 2 of this section shall not be civilly liable for any such conforming action.

4. Any employee, school board member or superintendent who fails to report any of the offenses listed in subsection 1 of this section to the appropriate local law enforcement agency shall be guilty of a class A misdemeanor.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Relford, **House Amendment No. 11** was adopted.

Representative Boucher offered **House Amendment No. 12**.

Representative Smith raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Gibbons offered **House Amendment No. 12**.

Representative Hollingsworth raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 944, Page 18, Section 167.115, Lines 37 and 38, by placing an opening bracket before the word “This” on Line 37, and a closing bracket after the word “pupil” on Line 38.

Representative Hollingsworth raised a point of order that **House Amendment No. 12** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Reid moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Boatright	Champion	Chrismer	Cierpiot
Dolan	Enz	Foster	Froelker	Gaskill
Graham 106	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hohulin	Hosmer	Kasten	Kennedy	King
Klindt	Levin	Linton	Long	Loudon
Luetkemeyer	Marble	Miller	Murphy	Myers
Naeger	Nordwald	O'Connor	Phillips	Pouche 30
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Summers	Surface	Tudor	Vogel
Wright				

NOES: 093

Abel	Auer	Barry 100	Bennett	Berkowitz
Black	Blunt	Bonner	Boykins	Bray 84
Britt	Brooks	Campbell	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	Gambaro	George	Gibbons
Graham 24	Gratz	Green	Griesheimer	Gunn

Hagan-Harrell	Hampton	Harlan	Hendrickson	Hickey
Hilgemann	Hollingsworth	Hoppe	Howerton	Kelly 27
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Legan	Liese	Luetkenhaus	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Monaco	Murray	O'Toole	Ostmann
Overschmidt	Parker	Patek	Pryor	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 001

Berkstresser

ABSENT WITH LEAVE: 012

Backer	Boucher 48	Burton	Elliott	Evans
Gross	Holand	Kelley 47	Lograsso	Stokan
Townley	Williams 121			

VACANCIES: 001

Representative Fraser offered **House Amendment No. 13**.

Representative Fitzwater raised a point of order that **House Amendment No. 13** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative McClelland offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 944, Page 7, Section 160.660, Line 11, by inserting after all of said line the following:

"161.650. 1. The department of elementary and secondary education shall identify and[, if necessary,] adopt an existing program or programs of educational instruction regarding violence prevention to be administered by public school districts pursuant to subsection 2 of this section, and which shall include, **but shall not be limited to**, instructing students of the negative consequences, both to the individual and to society at large, of membership in or association with criminal street gangs or participation in criminal street gang activity, as those phrases are defined in section 578.421, RSMo, and shall include related training for school district employees directly responsible for the education of students concerning violence prevention and early identification of and intervention in violent behavior. The state board of education shall adopt such program or programs by rule as approved for use in Missouri public schools. The program or programs of instruction shall encourage nonviolent conflict resolution of problems facing youth; present alternative constructive activities for the students; encourage community participation in program instruction, including but not limited to parents and law enforcement officials; and shall be administered as appropriate for different grade levels and shall not be offered for academic credit.

2. [Beginning no later than the 1998-99 school year and each school year thereafter,] All public school districts within this state with the approval of the district's board of education may administer the program or programs of student instruction adopted pursuant to subsection 1 of this section to students within the district starting at the kindergarten level and every year thereafter through the twelfth grade level.

3. **Any district adopting and providing a program of instruction pursuant to this section shall be entitled to receive state aid pursuant to section 163.031, RSMo. If such aid is determined by the department to be**

insufficient to implement any program or programs adopted by a district pursuant to this section:

(1) The department may fund the program or programs adopted pursuant to this section or pursuant to subsection 2 of section 160.530, RSMo, or both, after securing any funding available from alternative sources[.]; **and**

(2) School districts may fund the program or programs from funds received pursuant to subsection 1 of section 160.530, RSMo, and section 166.260, RSMo.

4. No rule or portion of a rule promulgated [under the authority of] **pursuant to** this section shall become effective unless it has been promulgated pursuant to [the provisions of section 536.024] **chapter 536**, RSMo.

163.031. 1. School districts which meet the requirements of section 163.021 shall be entitled to an amount computed as follows: an amount determined by multiplying the number of eligible pupils by the lesser of the district's equalized operating levy for school purposes as defined in section 163.011 or two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor plus an amount determined by multiplying the number of eligible pupils by the greater of zero or the district's equalized operating levy for school purposes as defined in section 163.011 minus two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor. For the purposes of this section, the proration factor shall be equal to the sum of the total appropriation for distribution under subsections 1 and 2 of this section; and the state total of the deductions as calculated in subsection 2 of this section which do not exceed the district entitlements as adjusted by the same proration factor; divided by the amount of the state total of district entitlements before proration as calculated pursuant to this subsection; provided that, if the proration factor so calculated is greater than one, the proration factor for line 1(b) shall be the greater of one or the proration factor for line 1(a) minus five hundredths, and provided that if the proration factor so calculated is less than one, the proration factor for line 1(a) shall be the lesser of one or the proration factor for line 1(b) plus five hundredths.

2. From the district entitlement for each district there shall be deducted the following amounts: an amount determined by multiplying the district equalized assessed valuation by the district's equalized operating levy for school purposes times the district income factor plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year; one hundred percent of the amount received the previous year for school purposes from intangible taxes, fines, forfeitures and escheats, payments in lieu of taxes and receipts from state assessed railroad and utility tax, except that any penalty paid after July 1, 1995, by a concentrated animal feeding operation as defined by the department of natural resources rule shall not be included; one hundred percent of the amounts received the previous year for school purposes from federal properties pursuant to sections 12.070 and 12.080, RSMo; federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less fifty thousand dollars multiplied by ninety percent or the maximum percentage allowed by federal regulation if that percentage is less than ninety; fifty percent, or the percentage otherwise provided in section 163.087, of Proposition C revenues received the previous year for school purposes from the school district trust fund pursuant to section 163.087; one hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo; and one hundred percent of the amount received the previous year for school purposes from the free textbook fund, pursuant to section 148.360, RSMo.

3. School districts which meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. There shall be individual proration factors for each categorical entitlement provided for in this subsection, and each proration factor shall be determined by annual appropriations, but no categorical proration factor shall exceed the entitlement proration factor established pursuant to subsection 1 of this section, except that the vocational education entitlement proration factor established pursuant to line 16 of subsection 6 of this section and the educational and screening program entitlements proration factor established pursuant to line 17 of subsection 6 of this section may exceed the entitlement proration factor established pursuant to subsection 1 of this section. The categorical add-on for the district shall be the sum of: **seventy-five percent of the costs of adopting and providing a violence prevention program pursuant to section 161.650, RSMo, multiplied by the proration factor;** seventy-five percent of the district allowable transportation costs pursuant to section 163.161 multiplied by the proration factor; the special education approved or allowed cost entitlement for the district, provided for by section 162.975, RSMo, multiplied by the proration factor; seventy-five percent of the district gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, multiplied by the proration factor; the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, multiplied by twenty percent, for a district with an operating levy in excess of two dollars and seventy-five cents per one hundred dollars assessed valuation, or twenty-two percent, otherwise times the guaranteed tax base per eligible pupil times two dollars and seventy-five cents per one hundred dollars assessed valuation times the proration factor plus the free and reduced lunch eligible pupil count for the district,

as defined in section 163.011, times thirty percent times the guaranteed tax base per eligible pupil times the following quantity: ((the greater of zero or the district's operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) times one or, beginning in the fifth year following the effective date of this section, the quotient of the district's fiscal instructional ratio of efficiency for the prior year divided by the fiscal year 1998 statewide average fiscal instructional ratio of efficiency, if the district's prior year fiscal instructional ratio of efficiency is at least five percent below the fiscal year 1998 statewide average) times the proration factor, minus court-ordered state desegregation aid received by the district for operating purposes; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515, RSMo, multiplied by the proration factor; the vocational education entitlement for the district, as provided for in section 167.332, RSMo, multiplied by the proration factor and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699, RSMo, times the proration factor.

4. Each district's apportionment shall be the prorated categorical add-ons plus the greater of the district's prorated entitlement minus the total deductions for the district or zero.

5. (1) In the 1993-94 school year and all subsequent school years, pursuant to section 10(c) of article X of the state constitution, a school district shall adjust upward its operating levy for school purposes to the extent necessary for the district to at least maintain the current operating expenditures per pupil received by the district from all sources in the 1992-93 school year, except that its operating levy for school purposes shall not exceed the highest tax rate in effect subsequent to the 1980 tax year, or the minimum rate required by subsection 2 of section 163.021, whichever is less.

(2) The revenue per eligible pupil received by a district from the following sources: line 1 minus line 10, or zero if line 1 minus line 10 is less than zero, plus line 14 of subsection 6 of this section, shall not be less than the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14 per eligible pupil that exceeds the line 14 per pupil amount from the 1997-98 school year, or the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14(a) per eligible pupil times the quotient of line 1 minus line 10, divided by the number of eligible pupils, or zero if line 1 minus line 10 is less than zero, divided by the revenue per eligible pupil received by the district in the 1992-93 school year from the foundation formula entitlement payment amount, whichever is greater. The department of elementary and secondary education shall make an addition in the payment amount of line 19 of subsection 6 of this section to assure compliance with the provisions contained in this section.

(3) For any school district which meets the eligibility criteria for state aid as established in section 163.021, but which under subsections 1 to 4 of this section, receives no state aid for two successive school years, other than categorical add-ons, by August first following the second such school year, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, RSMo. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school district related to the authority of the state board of education to classify school districts pursuant to section 161.092, RSMo, and such other rules as determined by the commissioner of education, except that such waivers shall not include the provisions established pursuant to sections 160.514 and 160.518, RSMo.

(4) In the 1993-94 school year and each school year thereafter for two years, those districts which are entitled to receive state aid under subsections 1 to 4 of this section, shall receive state aid in an amount per eligible pupil as provided in this subsection. For the 1993-94 school year, the amount per eligible pupil shall be twenty-five percent of the amount of state aid per eligible pupil calculated for the district for the 1993-94 school year pursuant to subsections 1 to 4 of this section plus seventy-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1993-94 school year pursuant to subsections 1 to 4 of this section. For the 1994-95 school year, the amount per eligible pupil shall be fifty percent of the amount of state aid per eligible pupil calculated for the district for the 1994-95 school year pursuant to subsections 1 to 4 of this section plus fifty percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1994-95 school year pursuant to subsections 1 to 4 of this section. For the 1995-96 school year, the amount of state aid per eligible pupil shall be seventy-five percent of the amount of state aid per eligible pupil calculated for the district for the 1995-96 school year pursuant to subsections 1 to 4 of this section plus twenty-five percent of the total amount of state aid

received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1995-96 school year pursuant to subsections 1 to 4 of this section. Nothing in this subdivision shall be construed to limit the authority of a school district to raise its district operating levy pursuant to subdivision (1) of this subsection.

(5) If the total of state aid apportionments to all districts pursuant to subdivision (3) of this subsection is less than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then the difference shall be deposited in the outstanding schools trust fund. If the total of state aid apportionments to all districts pursuant to subdivision (1) of this subsection is greater than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then funds shall be transferred from the outstanding schools trust fund to the state school moneys fund to the extent necessary to fund the district entitlements as modified by subdivision (4) of this subsection for that school year with a district entitlement proration factor no less than one and such transfer shall be given priority over all other uses for the outstanding schools trust fund as otherwise provided by law.

6. State aid shall be determined as follows:

District Entitlement

1(a). Number of eligible pupils x (lesser of district's equalized operating levy for school purposes or two dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP).....\$.....

1(b). Number of eligible pupils x (greater of: 0, or district's equalized operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP)..... \$.....

Deductions

2. District equalized assessed valuation x district income factor x district's equalized operating levy for school purposes plus ninety percent of any yment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year..... \$.....

3. Intangible taxes, fines, forfeitures, escheats, payments
in lieu of taxes, etc. (100% of the amount received the
previous year for school purposes)..... \$.....

4. Receipts from state assessed railroad and utility
tax (100% of the amount received the previous year for
school purposes)..... \$.....

5. Receipts from federal properties pursuant to sections
12.070 and 12.080, RSMo (100% of the amount received
the previous year for school purposes)..... \$.....

6. (Federal impact aid received the previous year for
school purposes pursuant to P.L. 81-874 less \$50,000) x
90% or the maximum percentage allowed by federal
regulations if less than 90%..... \$.....

7. Fifty percent or the percentage otherwise provided in
section 163.087 of Proposition C receipts from the
school district trust fund received the previous year
for school purposes pursuant to section 163.087\$.....

8. One hundred percent of the amount received the previous
year for school purposes from the fair share fund
pursuant to section 149.015, RSMo \$.....

9. One hundred percent of the amount received the previous
year for school purposes from the free textbook fund
pursuant to section 148.360, RSMo..... \$.....

10. Total deductions (sum of lines2-9)..... \$.....

Categorical Add-ons

11. The amount distributed pursuant to section
163.161 x proration \$.....

12. Special education approved or allowed cost entitlement
for the district pursuant to section 162.975,
RSMo, x proration \$.....

13. Seventy-five percent of the gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, x proration\$.....
- 14(a). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011, x .20, if operating levy in excess of \$2.75, or .22, otherwise x GTB per EP x \$2.75 per \$100 AV x proration..... \$.....
- 14(b). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011 x .30 x GTB x ((the greater of zero or the district's adjusted operating levy minus \$2.75 per \$100 AV) x (1.0 or, beginning in the fifth year following the effective date of this section, the district's FIRE for the prior year/statewide average FIRE for FY 1998, if the district's prior year FIRE is at least five percent below the FY 1998 statewide average FIRE) x proration) - court-ordered state desegregation aid received by the district for operating purposes..... \$.....
15. Career ladder entitlement for the district as provided for in sections 168.500 to 168.515, RSMo, x proration \$.....
16. Vocational education entitlements for the district as provided in section 167.332, RSMo, x proration..... \$.....
17. Educational and screening program entitlements for the district as provided in sections 178.691 to 178.699, RSMo, x proration \$.....
18. Sum of categorical add-ons for the district (sum of lines 11-17) \$.....
19. District apportionment (line 18 plus the greater of line 1 minus line 10 or zero) \$.....
7. Revenue received for school purposes by each school district pursuant to this section shall be placed in each of the incidental and teachers' funds based on the ratio of the property tax rate in the district for that fund to the total tax rate in the district for the two funds.
8. In addition to the penalty for line 14 described in subsection 6 of this section, beginning in school year 2004-05, any increase in a school district's funds received pursuant to line 14 of subsection 6 of this section over the 1997-98 school year shall be reduced by one percent for each full percentage point the percentage of the district's pupils scoring at or above five percent below the statewide average level on either mathematics or reading is less than sixty-five percent.
9. If a school district's annual audit discloses that students were inappropriately identified as eligible for free or reduced-price lunch and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of line 14 aid paid on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of the line 14 aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative McClelland, **House Amendment No. 13** was adopted.

Representative Hanaway offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 944, Page 18, Section 167.115.3, Line 38, by inserting before the word “pupil” the words “**public school**”.

On motion of Representative Hanaway, **House Amendment No. 14** was adopted by the following vote:

AYES: 094

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkstresser
Black	Blunt	Boatright	Bonner	Boykins
Champion	Chrismer	Cierpiot	Crawford	Dolan
Enz	Foley	Foster	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Gratz
Green	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hohulin
Holand	Hoppe	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Koller	Lawson
Legan	Levin	Liese	Linton	Loudon
Luetkemeyer	Luetkenhaus	Marble	McKenna	Miller
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Riley	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shelton	Shields	Summers	Surface	Treadway
Tudor	Vogel	Wagner	Wright	

NOES: 054

Berkowitz	Boucher 48	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Ford	Franklin	Fraser	Graham 24	Gunn
Hagan-Harrell	Hampton	Harlan	Hilgemann	Hollingsworth
Hosmer	Kreider	Leake	May 108	Mays 50
McBride	McClelland	McLuckie	Merideth	Monaco
O'Toole	Ostmann	Ransdall	Relford	Rizzo
Scheve	Schilling	Seigfreid	Selby	Skaggs
Smith	Thompson	Van Zandt	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 014

Backer	Bartelsmeyer	Burton	Elliott	Evans
Kasten	Klindt	Lakin	Lograsso	Long
Stokan	Townley	Troupe	Williams 121	

VACANCIES: 001

Representative Miller offered **House Amendment No. 15**.

Representative Monaco raised a point of order that **House Amendment No. 15** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Riley offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 944, Page 28, Section 574.150, Line 15, by inserting after all of said lines the following:

"Section 1. Any program providing child care to preschool or school age children that is located and operated on elementary or secondary public school property shall comply with the child care licensure provisions in chapter 210, RSMo; except that, for safety, health and fire purposes, any such program shall comply with the safety, health and fire provisions required of school districts in this state in lieu of the safety, health and fire provisions of chapter 210, RSMo. This section shall not apply to any extended day child care program pursuant to sections 167.290 to 167.310, RSMo, or any head start programs pursuant to sections 660.650 to 660.657, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith raised a point of order that **House Amendment No. 15** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Riley, **House Amendment No. 15** was adopted.

Representative Reid offered **House Amendment No. 16**.

Representative Kennedy raised a point of order that **House Amendment No. 16** goes beyond the scope of the bill.

Representative Smith raised an additional point of order that **House Amendment No. 16** amends previously amended material and is dilatory.

The Chair ruled the point of order well taken.

Representative Gambaro offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 944, Page 21, Section 167.171, Line 80, by inserting after all of said line the following:

"168.221. 1. In an effort to improve school student safety and promote a good educational environment, the first five years of employment of all teachers entering the employment of the metropolitan school district shall be deemed a period of probation during which period all appointments of teachers shall expire at the end of each school year. During the probationary period any probationary teacher whose work is unsatisfactory shall be furnished by the superintendent of schools with a written statement setting forth the nature of his **or her** incompetency. If improvement satisfactory to the superintendent is not made within one semester after the receipt of the statement, the probationary teacher shall be dismissed. The semester granted the probationary teacher in which to improve shall not in any case be a means of prolonging the probationary period beyond five years and six months from the date on which the teacher entered the employ of the board of education. The superintendent of schools on or before the fifteenth day of April in

each year shall notify probationary teachers who will not be retained by the school district of the termination of their services. Any probationary teacher who is not so notified shall be deemed to have been appointed for the next school year. Any principal who prior to becoming a principal had attained permanent employee status as a teacher shall upon ceasing to be a principal have a right to resume his or her permanent teacher position with the time served as a principal being treated as if such time had been served as a teacher for the purpose of calculating seniority and pay scale. The rights and duties and remuneration of a teacher who was formerly a principal shall be the same as any other teacher with the same level of qualifications and time of service.

2. After completion of satisfactory probationary services, appointments of teachers shall become permanent, subject to removal for any one or more causes herein described and to the right of the board to terminate the services of all who attain the age of compulsory retirement fixed by the retirement system. In determining the duration of the probationary period of employment in this section specified, the time of service rendered as a substitute teacher shall not be included.

3. No teacher whose appointment has become permanent may be removed except for one or more of the following causes: immorality, inefficiency in line of duty, violation of the published regulations of the school district, violation of the laws of Missouri governing the public schools of the state, or physical or mental condition which incapacitates him **or her** for instructing or associating with children, and then only by a vote of not less than [a majority of all] the **requisite number of** members of the board **pursuant to this subsection**, upon written charges presented by the superintendent of schools, to be heard by the board after thirty days' notice, with copy of the charges served upon the person against whom they are preferred, who shall have the privilege of being present, together with counsel, offering evidence and making defense thereto. Notifications received by an employee during a vacation period shall be considered as received on the first day of the school term following. At the request of any person so charged the hearing shall be public. The action and decision of the board upon the charges shall be final. Pending the hearing of the charges, the person charged may be suspended if the rules of the board so prescribe, but in the event the board does not, by a [majority] vote of [all the] **not less than the requisite number of** members **pursuant to this subsection**, remove the teacher upon charges presented by the superintendent, the person shall not suffer any loss of salary by reason of the suspension. Inefficiency in line of duty is cause for dismissal only after the teacher has been notified in writing at least one semester prior to the presentment of charges against him **or her** by the superintendent. The notification shall specify the nature of the inefficiency with such particularity as to enable the teacher to be informed of the nature of his **or her** inefficiency. **The board may vote to remove a teacher pursuant to this subsection as follows:**

(1) At the first meeting at which the removal of a teacher is at issue, at least four members of the board must be present in order to conduct a removal hearing or a vote of removal, and the board shall not remove such teacher unless a majority of the members present at such meeting vote in favor of removal; and

(2) At any meeting after the first meeting at which the removal of the same teacher is at issue, at least three members of the board must be present in order to conduct a removal hearing or a vote of removal, and the board shall not remove such teacher unless a majority of the members present at such meeting vote in favor of removal; except that, if only three members of the board are present at such meeting, then a unanimous vote of all three present members shall be required to remove such teacher.

4. No teacher whose appointment has become permanent shall be demoted nor shall his **or her** salary be reduced unless the same procedure is followed as herein stated for the removal of the teacher because of inefficiency in line of duty, and any teacher whose salary is reduced or who is demoted may waive the presentment of charges against him **or her** by the superintendent and a hearing thereon by the board. The foregoing provision shall apply only to permanent teachers prior to the compulsory retirement age under the retirement system. Nothing herein contained shall in any way restrict or limit the power of the board of education to make reductions in the number of teachers or principals, or both, because of insufficient funds, decrease in pupil enrollment, or abolition of particular subjects or courses of instruction, except that the abolition of particular subjects or courses of instruction shall not cause those teachers who have been teaching the subjects or giving the courses of instruction to be placed on leave of absence as herein provided who are qualified to teach other subjects or courses of instruction, if positions are available for the teachers in the other subjects or courses of instruction.

5. Whenever it is necessary to decrease the number of teachers or principals, or both, because of insufficient funds or a substantial decrease of pupil population within the school district, the board of education upon recommendation of the superintendent of schools may cause the necessary number of teachers or principals, or both, beginning with those serving probationary periods, to be placed on leave of absence without pay, but only in the inverse order of their appointment. Nothing herein stated shall prevent a readjustment by the board of education of existing salary schedules. No teacher or principal placed on a leave of absence shall be precluded from securing other

employment during the period of the leave of absence. Each teacher or principal placed on leave of absence shall be reinstated in inverse order of his **or her** placement on leave of absence. Such reemployment shall not result in a loss of status or credit for previous years of service. No new appointments shall be made while there are available teachers or principals on leave of absence who are seventy years of age or less and who are adequately qualified to fill the vacancy unless the teachers or principals fail to advise the superintendent of schools within thirty days from the date of notification by the superintendent of schools that positions are available to them that they will return to employment and will assume the duties of the position to which appointed not later than the beginning of the school year next following the date of the notice by the superintendent of schools.

6. If any regulation which deals with the promotion of either teachers or principals, or both, is amended by increasing the qualifications necessary to be met before a teacher or principal is eligible for promotion, the amendment shall fix an effective date which shall allow a reasonable length of time within which teachers or principals may become qualified for promotion under the regulations."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gambaro moved that **House Amendment No. 16** be adopted.

Which motion was defeated.

Representative Dougherty offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Bill No. 944, Page 21, Section 161.171, Line 80, by adding at the end of said line the following:

"The Department of Elementary and Secondary Education shall provide a mechanism for school disciplinary hearings to consider appeals from local school districts of pupils who have been expelled or suspended for acts of violence as defined by the department. The department may accept, amend or reject the findings and punishment decreed by the local school board."

Representative Dougherty moved that **House Amendment No. 17** be adopted.

Which motion was defeated.

On motion of Representative Smith, **HCS SB 944, as amended**, was adopted.

On motion of Representative Smith, **HCS SB 944, as amended**, was read the third time and passed by the following vote:

AYES: 154

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124

Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Lograsso	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Backer	Burton	Elliott	Evans	Linton
Long	Stokan	Townley		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Davis (122) moved that the vote by which the bill passed be reconsidered.

Representative Mays (50) moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1142, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Johnson, Mathewson, Caskey, Childers and Russell.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1107, as amended**, and has taken up and passed **CCS HB 1107**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1108**, and has taken up and passed **CCS HB 1108**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1109**, and has taken up and passed **CCS HB 1109**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **SCS HCS HB 1110, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1110, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SCS HB 1142: Representatives Ransdall, Wiggins, Leake, Hartzler (124) and Marble

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 1110: Representatives Franklin, Williams (121), Riback Wilson (25), Shields and Patek

THIRD READING OF SENATE BILL - INFORMAL

HCS SB 856, with Part I, as amended, Part II, as amended, adopted, and Part III, Part IV and Part V of HS, as amended, pending, relating to regulation of managed care, was taken up by Representative Harlan.

Representative Smith resumed the Chair.

Representative Harlan moved that **Part III of HS HCS SB 856, as amended**, be adopted.

Which motion was defeated.

Representative Harlan offered **House Amendment No. 1 to Part IV of HS HCS SB 856**.

*House Amendment No. 1
to
Part IV*

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 41, Section 376.1405, Line 2, by adding after said line the following:

“4. Every health carrier shall after January 1, 2002 make formulary information available to participating pharmacists through the Internet or other electronic means. The department of insurance shall develop rules to implement the requirements of this subsection and to protect the proprietary rights of the health carrier.”.

On motion of Representative Harlan, **House Amendment No. 1 to Part IV of HS HCS SB 856** was adopted.

Representative Harlan offered **House Amendment No. 2 to Part IV of HS HCS SB 856.**

*House Amendment No. 2
for
Part IV*

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 28, Section 376.1350, Lines 7-13, by deleting all of said lines and inserting in lieu thereof the following:

"(4) "Certification" or "certifies", a determination by a health carrier or its designee utilization review organization that an admission, availability of care, continued stay or other health care service has been reviewed and, based on the information provided, satisfies the health carrier's requirements for medical necessity, appropriateness, health care setting, level of care, [and] effectiveness, and that the service shall be paid for by the plan"; and

Further amend said bill, Page 38, Section 376.1361, Lines 20-24, by deleting all of said lines; and

Further amend said bill, Page 39, Section 376.1361, Lines 1-14, by deleting all of said lines and inserting in lieu thereof the following:

"provider or other authorized representative, [authorizes] certifies the provision of health care services.

13. If an authorized representative of a health carrier [authorizes] certifies the provision of health care services, the health carrier shall not subsequently retract its [authorization] certification after the health care services have been provided, or reduce payment for an item or service furnished in reliance on [approval] such certification, unless

(1) Such [authorization] certification is based on a material misrepresentation or omission about the treated person's health condition or the cause of the health condition; or

(2) The health benefit plan terminates before the health care services are provided; [or]

(3) The covered person's coverage under the health benefit plan terminates before the health care services are provided; or

(4) The covered person's coverage under the health benefit plan has exceeded such person's annual or lifetime benefits limit.”.

Representative Griesheimer offered **House Substitute Amendment No. 1 for House Amendment No. 2 to Part IV of HS HCS SB 856.**

*House Substitute Amendment No. 1
for
House Amendment No. 2
to
Part IV*

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 28, Section 376.1350, Lines 7-13, by deleting all of said lines and inserting in lieu thereof the following:

"(4) "Certification" or "**certifies**", a determination by a health carrier or its designee utilization review organization that an admission, availability of care, continued stay or other health care service has been reviewed and, based on the information provided, satisfies the health carrier's requirements for medical necessity, appropriateness, health care setting, level of care, [and] effectiveness, **and that the service is a covered benefit under the plan**"; and

Further amend said bill, Page 38, Section 376.1361, Lines 20-24, by deleting all of said lines; and

Further amend said bill, Page 39, Section 376.1361, Lines 1-14, by deleting all of said lines and inserting in lieu thereof the following:

"provider or other authorized representative, [authorizes] **certifies** the provision of health care services.

13. If an authorized representative of a health carrier [authorizes] **certifies** the provision of health care services, the health carrier shall not subsequently retract its [authorization] **certification** after the health care services have been provided, or reduce payment for an item or service furnished in reliance on [approval] **such certification**, unless

(1) Such [authorization] **certification** is based on a material misrepresentation or omission about the treated person's health condition or the cause of the health condition; or

(2) The health benefit plan terminates before the health care services are provided; [or]

(3) The covered person's coverage under the health benefit plan terminates before the health care services are provided; **or**

(4) **The covered person's coverage under the health benefit plan has exceeded such person's annual or lifetime benefits limit.**".

On motion of Representative Griesheimer, **House Substitute Amendment No. 1 for House Amendment No. 2 to Part IV of HS HCS SB 856** was adopted.

Representative Holand offered **House Amendment No. 3 to Part IV of HS HCS SB 856**.

*House Amendment No. 3
to
Part IV*

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 26, Section 376.893, Line 10, by inserting after the word "provide" the following: "**upon request**"; and

Further amend said bill, Page 27, Section 376.895, Line 12, by inserting after the word "provide" the following: "**upon request**".

On motion of Representative Holand, **House Amendment No. 3 to Part IV of HS HCS SB 856** was adopted.

Representative Abel offered **House Amendment No. 4 to Part IV of HS HCS SB 856**.

House Amendment No. 4
to
Part IV

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 38, Section 376.1361, Line 11, by adding after the word "the" the word "**dispensing**"; and

Further amend said bill, Page 38, Section 376.1361, Line 12, by deleting the words "**primary care physician**"; and

Further amend said bill, Page 38, Section 376.1361, Line 14, by deleting the word "**or**" and inserting in lieu thereof the word "**and**"; and

Further amend said bill, Page 38, Section 376.1361, Lines 15-17, by deleting said lines and inserting in lieu thereof the following:

"(b) The health carrier shall notify the dispensing pharmacist and the enrollee when it modifies its formulary."

Speaker Gaw resumed the Chair.

On motion of Representative Abel, **House Amendment No. 4 to Part IV of HS HCS SB 856** was adopted.

Representative Hosmer offered **House Amendment No. 5 to Part IV of HS HCS SB 856**.

House Amendment No. 5
to
Part IV

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 24, Line 23, by inserting immediately after said line the following:

"376.815. No health carrier, as defined in section 376.1350 shall change its drug formulary except at the beginning of each policy annual anniversary date. A health carrier, however, may add new prescription drugs to its formulary during such period. No health carrier shall increase an enrollee's co-payment, co-insurance or other out-of-pocket expense for formulary drugs except at the beginning of each policy annual anniversary date."; and

Further amend the title and enacting clause accordingly.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 5 to Part IV of HS HCS SB 856**.

House Substitute Amendment No. 1
for
House Amendment No. 5
to
Part IV

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 24, Line 23, by inserting immediately after said line the following:

“376.815. No health carrier, as defined in section 376.1350 shall change its drug formulary except pursuant to FDA recommendation or at the beginning of each policy annual anniversary date. A health carrier, however, may add new prescription drugs to its formulary during such period. No health carrier shall increase an enrollee’s co-payment, co-insurance or other out-of-pocket expense for formulary drugs except at the beginning of each policy annual anniversary date.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Monaco, **House Substitute Amendment No. 1 for House Amendment No. 5 to Part IV of HS HCS SB 856** was adopted.

Representative Naeger offered **House Amendment No. 6 to Part IV of HS HCS SB 856**.

*House Amendment No. 6
to
Part IV*

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 31, Section 376.1350, Line 17, by inserting after the word “facility;” the following: **“or any home medical equipment provider”**; and

Further amend said section, Page 31, Line 19, by inserting after the word “medication” the following: **“; or durable medical equipment”**.

On motion of Representative Naeger, **House Amendment No. 6 to Part IV of HS HCS SB 856** was adopted.

Representative Monaco offered **House Amendment No. 7 to Part IV of HS HCS SB 856**.

Representative Loudon raised a point of order that **House Amendment No. 7 to Part IV of HS HCS SB 856** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Gross offered **House Amendment No. 7 to Part IV of HS HCS SB 856**.

*House Amendment No. 7
to
Part IV*

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 42, Section 376.1408, Lines 9-10, by deleting said lines and inserting in lieu thereof the following:

**“(2) Three representatives from the insurance industry;
(3) Three members from the general public; and
(4) Three representatives from the employer community who have experience in selecting employer-provided health care plans, at least one of which should be a human resource director or benefits manager. In addition, each of the three employer representatives shall be selected from one of the following three categories, a business with fewer than twenty-five employees in this state, a business with more than twenty-five and fewer than one hundred employees in this state, and a business with more than one hundred employees in this state.”.**

On motion of Representative Gross, **House Amendment No. 7 to Part IV of HS HCS SB 856** was adopted.

Representative Wright offered **House Amendment No. 8 to Part IV of HS HCS SB 856**.

Representative Patek raised a point of order that **House Amendment No. 8 to Part IV of HS HCS SB 856** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Richardson offered **House Amendment No. 8 to Part IV of HS HCS SB 856**.

*House Amendment No. 8
to
Part IV*

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 26, Section 376.893.3(4), Line 12, by inserting after the period in said line the following:

“The provisions of this subsection shall only apply if the notice required by subsection 1 of this section contains the mailing address of both parents of a covered child.”; and

Further amend said bill, Page 27, Section 376.895, Line 15, by inserting after the period in said line the following:

“The provisions of this section shall only apply if the notice required by Section 376.893.1 contains the mailing address of both parents of a covered child.”.

On motion of Representative Richardson, **House Amendment No. 8 to Part IV of HS HCS SB 856** was adopted.

Representative Auer offered **House Amendment No. 9 to Part IV of HS HCS SB 856**.

*House Amendment No. 9
to
Part IV*

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 43, Section 2, Line 23, by inserting after said line the following:

“Section 2. No health care provider shall submit directly or through a billing service any bill or payment request to a patient until such time that the claim for services has been finally adjudicated, except that the provider may bill for any applicable deductible, copayment, or coinsurance.”.

On motion of Representative Auer, **House Amendment No. 9 to Part IV of HS HCS SB 856** was adopted by the following vote:

AYES: 082

Akin	Alter	Auer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkstresser	Black
Blunt	Boatright	Bonner	Boykins	Brooks
Champion	Chrismer	Cierpiot	Crawford	Davis 122
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gambaro	Gibbons	Graham 106	Griesheimer
Gunn	Hagan-Harrell	Hampton	Hanaway	Hartzler 123
Hegeman	Hendrickson	Howerton	Kelley 47	King
Kissell	Klindt	Kreider	Leake	Levin
Liese	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	McClelland	McKenna	Merideth	Miller
Murphy	Myers	O'Toole	Ostmann	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Robirds
Ross	Scott	Secrest	Shields	Summers
Thompson	Tudor	Vogel	Wagner	Ward
Williams 159	Wright			

NOES: 054

Barry 100	Berkowitz	Boucher 48	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 63
Dougherty	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	Gaskill	George	Graham 24
Gratz	Green	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Koller	Lakin	Mays 50	McLuckie	Monaco
Murray	Naeger	Nordwald	Overschmidt	Patek
Riley	Rizzo	Schilling	Seigfreid	Selby
Shelton	Skaggs	Treadway	Van Zandt	Wiggins
Williams 121	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 001

Holand

ABSENT WITH LEAVE: 025

Abel	Backer	Burton	Days	Gross
Hartzler 124	Hohulin	Kasten	Lawson	Legan
Linton	Lograsso	Long	McBride	O'Connor
Parker	Pryor	Sallee	Scheve	Schwab
Smith	Stokan	Surface	Townley	Troupe

VACANCIES: 001

Representative Elliott offered **House Amendment No. 10 to Part IV of HS HCS SB 856.**

House Amendment No. 10
to
Part IV

AMEND Part IV of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 39, Section 376.1361, Line 14, by adding after said line the following:

“14. Any provider who knowingly submits false information to any health carrier for purposes of seeking authorization for coverage for services which would otherwise not be a covered benefit shall be guilty of fraud. Such acts may be reported as a fraudulent claim pursuant to 375.992 RSMo. In addition to other remedies provided by law, any carrier who has received false information described in this subsection, may file a civil action against the provider for any violation of this subsection. If the court finds that a violation of this section has occurred, the court shall award to the prevailing plaintiff fees and other expenses, in addition to any amount

paid to the provider for services provided which were authorized based on the false information, if such services would otherwise not have been a covered benefit but for the reliance upon the false information. For purposes of this section, “fees and expenses” includes reasonable attorneys fees, reasonable expenses of expert witnesses or any other cost which is found by the court to be reasonable for the preparation of the plaintiff’s case.”.

Representative Monaco raised a point of order that **House Amendment No. 10 to Part IV of HS HCS SB 856** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Elliott, **House Amendment No. 10 to Part IV of HS HCS SB 856** was adopted by the following vote:

AYES: 075

Akin	Alter	Auer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkstresser	Black
Blunt	Boatright	Bonner	Champion	Chrismer
Cierpiot	Crawford	Dolan	Elliott	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Gunn	Hanaway
Hartzler 123	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kelley 47	Kennedy	King	Klindt
Legan	Levin	Lograsso	Loudon	Luetkemeyer
Luetkenhaus	Marble	McClelland	Merideth	Miller
Myers	Nordwald	Ostmann	Phillips	Pouche 30
Purgason	Reid	Reinhart	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Selby	Shields
Summers	Tudor	Vogel	Wagner	Wright

NOES: 066

Barry 100	Berkowitz	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Clayton	Crump
Curls	Davis 122	Davis 63	Dougherty	Farnen
Fitzwater	Foley	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Liese	May 108
Mays 50	McKenna	McLuckie	Monaco	Murphy
Murray	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Schilling	Seigfreid	Shelton	Skaggs
Thompson	Treadway	Troupe	Van Zandt	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 002

Naeger	Patek
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ABSENT WITH LEAVE: 019

Abel	Backer	Burton	Days	Ford
Hartzler 124	Kasten	Lawson	Linton	Long
McBride	O'Connor	Parker	Pryor	Scheve
Smith	Stokan	Surface	Townley	

VACANCIES: 001

Representative Shields offered **House Amendment No. 11 to Part IV of HS HCS SB 856**.

House Amendment No. 11 to Part IV of HS HCS SB 856 was withdrawn.

Representative Green assumed the Chair.

Representative Chrismer offered **House Amendment No. 11 to Part IV of HS HCS SB 856**.

Representative Harlan raised a point of order that **House Amendment No. 11 to Part IV of HS HCS SB 856** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Harlan, **Part IV of HS HCS SB 856, as amended**, was adopted by the following vote:

AYES: 134

Abel	Akin	Alter	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Foster	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Leake
Legan	Levin	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Pouche 30	Purgason
Ransdall	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Schilling	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Summers
Thompson	Treadway	Troupe	Tudor	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Auer	Murphy
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PRESENT: 002

Gunn	Reid
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ABSENT WITH LEAVE: 024

Backer	Burton	Days	Ford	Franklin
Hartzler 124	Hohulin	Kasten	Lawson	Liese

Linton
Parker
Stokan

Lograsso
Pryor
Surface

Long
Scheve
Townley

McBride
Schwab
Van Zandt

O'Connor
Smith

VACANCIES: 001

Representative Hanaway offered **House Amendment No. 1 to Part V of HS HCS SB 856.**

*House Amendment No. 1
to
Part V*

AMEND Part V of House Substitute for House Committee Substitute for Senate Bill No. 856, Page 1, In the Title and Section A, Lines 1-17, by amending the title and enacting clause according to the amendments adopted in parts 1-4.

On motion of Representative Hanaway, **House Amendment No. 1 to Part V of HS HCS SB 856** was adopted.

On motion of Representative Harlan, **Part V of HS HCS SB 856, as amended**, was adopted.

HS HCS SB 856, as amended, was placed on the Informal Calendar.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1111**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1111.
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1111.
3. That the attached Conference Committee Substitute for House Bill No. 1111, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Charles “Quincy” Troupe
/s/ Glenda Kelly
/s/ Charlie Shields
/s/ Pat Kelley

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 1112**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1112, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1112.
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1112.
3. That the attached Conference Committee Substitute for House Bill No. 1112, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Timothy P. Green
/s/ Scott Lakin
/s/ Ken Legan
/s/ Gary Burton

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 892 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Williams (159) reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SS SCS SB 925**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **SB 996**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education - Elementary and Secondary, Chairman Fitzwater reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **SS SCS SB 926**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 1001**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 1002**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCR 38**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SCS SB 954**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 610**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Friday, May 5, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-fourth Day, Wednesday, May 3, 2000, page 1246, by inserting after line 22, the following:

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SB 813: Representatives Kissell, Britt, McLuckie, Dolan and Barnett

Page 1240, roll call, by showing Representative Loudon voting "aye" rather than "absent with leave".

Page 1241, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Page 1242, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Pages 1242 and 1243, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Pages 1243 and 1244, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Pages 1244 and 1245, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1245 and 1246, roll call, by showing Representative Backer voting "aye" rather than "absent with leave".

Pages 1247 and 1248, roll call, by showing Representative Kasten voting "aye" rather than "absent with leave".

Pages 1249 and 1250, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 1250 and 1251, roll call, by showing Representatives Hartzler (124) and Long voting "no" rather than "absent with leave".

Page 1251, roll call, by showing Representatives Hartzler (124) and Long voting "no" rather than "absent with leave".

Page 1255, roll call, by showing Representatives Gaskill, Gibbons, Griesheimer and Kelly (27) voting "aye" rather than "absent with leave".

Page 1255, roll call, by showing Representative Patek voting "no" rather than "absent with leave".

Page 1256, roll call, by showing Representatives Champion, Gibbons and Griesheimer voting "aye" rather than "absent with leave".

Page 1256, roll call, by showing Representative Patek voting "no" rather than "absent with leave".

Pages 1258 and 1259, roll call, by showing Representative Ross voting "aye" rather than "absent with leave".

Pages 1258 and 1259, roll call, by showing Representative Purgason voting "no" rather than "absent with leave".

Pages 1259 and 1260, roll call, by showing Representative Kelley (47) voting "aye" rather than "absent with leave".

Page 1260, roll call, by showing Representative Kelley (47) voting "aye" rather than "absent with leave".

Page 1260, roll call, by showing Representatives Marble and Patek voting "no" rather than "absent with leave".

Page 1261, roll call, by showing Representatives Gibbons and Kissell voting "aye" rather than "absent with leave".

Page 1262, roll call, by showing Representative Kelley (47) voting "aye" rather than "absent with leave".

Page 1263, roll call, by showing Representative Koller voting "no" rather than "absent with leave".

Correct House Journal, Sixty-third Day, Tuesday, May 2, 2000, page 1220, line 25, by deleting the number "376.410" and inserting in lieu thereof the number "376.406".

COMMITTEE MEETINGS

JOINT COMMITTEE ON CORRECTIONS

Monday, May 8, 2000, 8:00 am. Hearing Room 5.

RFP's: Proposed Scope of Services (Mental Health and Medical)

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Friday, May 5, 2000, 9:45 am. Side gallery.

If the House convenes at 9:30 am, hearing will be conducted upon morning adjournment.

To be considered - Executive Session - SCR 36

HOUSE CALENDAR

SIXTY-SIXTH DAY, FRIDAY, MAY 5, 2000

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45, HCA 1 - Scheve
- 4 HJR 51 - Clayton

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HB 2102 - Hampton
- 3 HB 1066, HCA 1 - Riback Wilson (25)
- 4 HB 1280 - Clayton
- 5 HB 1502 - Smith
- 6 HCS HB 1547 - Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 8 HB 1546 - Smith
- 9 HCS HB 1606 - Bray
- 10 HCS HB 1225 - Hosmer
- 11 HCS HB 1540 - Green
- 12 HCS HB 1942 - Liese
- 13 HCS HB 1578 - Shelton
- 14 HB 2056 - Gunn
- 15 HCS HB 1718 - Smith
- 16 HCS HB 1966 - Hosmer
- 17 HCS HB 1997 - Smith
- 18 HCS HB 1336 - Lakin
- 19 HCS HB 1780 - Liese
- 20 HCS HB 1816 - Hosmer
- 21 HCS HB 1357 - Bonner
- 22 HB 1872 - Seigfreid
- 23 HCS HB 1674 - Graham (24)
- 24 HCS HB 1154 - Boucher
- 25 HCS HB 2114 - Hoppe
- 26 HCS HB 1649 - Williams (121)
- 27 HB 1216 - Kelly (27)
- 28 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1602, as amended - Leake
- 2 HCS HB 1932 - Harlan
- 3 HB 1712 - McKenna
- 4 HS HB 1394, as amended - Murray

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 23, (3-16-00, pg. 646) - Bray
- 2 HCR 28, (4-11-00, pg. 916) - Van Zandt
- 3 HCR 34, (5-1-00, pg. 1159) - Clayton
- 4 HCR 31, (5-1-00, pg. 1158) - Hollingsworth

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 38, (4-26-00, pg. 1098) - Kreider
- 2 SCR 29, (4-18-00, pg. 989) - Bray

SENATE BILLS FOR THIRD READING

- 1 HCS SB 896, E.C. - May (108)
- 2 HCS SB 724 - Farnen
- 3 SB 961, E.C. - Ransdall
- 4 HCS SB 858 - Smith
- 5 SCS SB 779 - Wiggins
- 6 SB 1053 - Days
- 7 HCS SS SCS SB 577 - Ransdall
- 8 HCS SB 741 - Backer
- 9 HCS SB 936, E.C. - Bray
- 10 HCS SS SCS SB 763, (Fiscal Review, 5-3-00) - Kissell
- 11 HCS SB 922 - Hagan-Harrell
- 12 HCS SS SCS SB 678 & 742, (Fiscal Review, 5-2-00) - May (108)
- 13 HCS SS SB 902 - Treadway
- 14 SCS SB 557 - Smith
- 15 SS SCS SB 867 & 552, (Fiscal Review, 5-2-00) - Rizzo
- 16 HCS SS#2 SCS SB 934, 546, 578, 579 & 782 - Hosmer
- 17 HCS SS#2 SCS SB 757 & 602, (Fiscal Review, 5-4-00) - Scheve
- 18 SCS SB 540 - Wiggins
- 19 HCS SS SCS SB 925, E.C. - Williams (159)
- 20 HCS SB 996 - Hosmer
- 21 HCS SCS SB 842, E.C., (Fiscal Review, 5-4-00) - Hoppe
- 22 HCS SB 921 - Treadway
- 23 SB 892, (Fiscal Review, 5-4-00) - Crump

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 HS HCS SB 856, a.a. - Harlan
- 2 HCS SCS SB 894 - Hoppe
- 3 HCS SB 788 - Barry
- 4 HCS SCS SB 542 - Hoppe

SENATE BILLS FOR THIRD READING - REVISION

- 1 SB 1001 - Clayton
- 2 SB 1002 - Clayton

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 1659, as amended, E.C. - Summers
- 2 SS SCS HB 1808, as amended - O'Toole
- 3 SCS HB 1568 - Riback Wilson (25)
- 4 SCS HB 1848 - Treadway

BILL CARRYING REQUEST MESSAGES

HS HCS SB 881, as amended (req. House recede/grant conf.) - Hoppe

BILLS IN CONFERENCE

- 1 CCR SCS HCS HB 1111, as amended - Franklin
- 2 CCR SCS HCS HB 1112, as amended - Franklin
- 3 CCR SCS HS HCS HB 1742, as amended - Koller
- 4 SCS HB 1591 - Backer
- 5 HS HCS SS SB 549, as amended - Van Zandt
- 6 HCS SS SB 813, as amended - Kissell
- 7 SCS HCS HB 1142, as amended - Ransdall
- 8 SCS HCS HB 1110, as amended - Riback Wilson (25)

BILL IN CONFERENCE - INFORMAL

CCR SCS HCS HB 1120, as amended - Franklin

HOUSE RESOLUTIONS

- 1 HR 557, (5-1-00, pg. 1160) - Gratz
- 2 HR 504, (5-1-00, pg. 1159) - Gratz

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTY-SIXTH DAY, FRIDAY, MAY 5, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Heavenly Power, You are faithful to us, offering us time and potential to do much good, trusting in our capabilities, and arming our minds, hearts, and souls. So may we be faithful to You. Help this House rise up to its capacities today, building freely on our best efforts in the past.

May we assemble ourselves on the promise - first, on our promise in that we are potentially created in Your likeness and are informed with Your divinity; and second, on Your promise to be within our hearts, minds, and souls at all times.

We know You are everywhere - may that everywhere invade gracefully especially this Chamber as well as this whole building today, and always, world without end. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Ryan Hunt.

The Journal of the sixty-fifth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1502	-	Representative Davis (122), et al
House Resolution No. 1503	-	Representative Chrismer
House Resolution No. 1504	-	Representative Ransdall
House Resolution No. 1505		
through		
House Resolution No. 1508	-	Representative Koller
House Resolution No. 1509	-	Representative Berkowitz
House Resolution No. 1510	-	Representative Summers
House Resolution No. 1511		
through		
House Resolution No. 1513	-	Representative Ward
House Resolution No. 1514	-	Representative Skaggs
House Resolution No. 1515	-	Representative Liese
House Resolution No. 1516	-	Representative Richardson

HOUSE REMONSTRANCE

Representative Evans offered House Remonstrance No. 2.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 683 - Fiscal Review (Fiscal Note)
HCS SS SCS SB 885 - Fiscal Review (Fiscal Note)
HCS SB 573 - Fiscal Review (Fiscal Note)
HCS SB 974 - Fiscal Review (Fiscal Note)
HCS SCS SB 806 and **SB 537** - Fiscal Review (Fiscal Note)
HCS SCS SB 597 - Fiscal Review (Fiscal Note)

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1142

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1142 with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1142, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1142;
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ Bill Ransdall
/s/ Sam Leake
/s/ Gary Wiggins
/s/ Gary Marble
/s/ Vicky Hartzler

FOR THE SENATE:

/s/ Sidney Johnson
/s/ Harold Caskey
/s/ James Mathewson
/s/ John Russell
/s/ Doyle Childers

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 1659, as amended, relating to local economic development sales tax, was taken up by Representative Summers.

On motion of Representative Summers, **SCS HB 1659, as amended**, was adopted by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Hohulin	Lograsso	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 009

Days	Dougherty	Gambaro	Pryor	Reid
Reinhart	Scheve	Stokan	Troupe	

VACANCIES: 001

On motion of Representative Summers, **SCS HB 1659, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt

Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Curls	Davis 122
Davis 63	Dolan	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Purgason
Ransdall	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Hohulin Murphy

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Crump	Days	Dougherty	Gambaro
Hampton	Lakin	Pryor	Reid	Reinhart
Stokan	Troupe			

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 107

Akin	Alter	Auer	Backer	Ballard
Barnett	Bartelsmeyer	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Boucher 48	Brooks
Burton	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Davis 122	Dolan	Elliott
Enz	Evans	Farnen	Fitzwater	Foster
Franklin	Fraser	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hagan-Harrell	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hilgemann	Holand
Hoppe	Howerton	Kasten	Kelley 47	King
Klindt	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	Merideth	Miller	Monaco
Myers	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Skaggs

Summers	Surface	Townley	Troupe	Tudor
Vogel	Wagner	Williams 121	Williams 159	Wilson 25
Wright	Mr. Speaker			

NOES: 041

Abel	Barry 100	Bartle	Bonner	Boykins
Bray 84	Britt	Campbell	Curls	Davis 63
Foley	Froelker	George	Graham 24	Gratz
Gunn	Hampton	Hendrickson	Hohulin	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Koller
McLuckie	Murphy	Murray	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Smith
Thompson	Treadway	Van Zandt	Ward	Wiggins
Wilson 42				

PRESENT: 004

Ford	Hickey	Loudon	Shelton
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ABSENT WITH LEAVE: 010

Days	Dougherty	Gambara	Green	Lograsso
McKenna	O'Connor	Pryor	Reid	Stokan

VACANCIES: 001

On motion of Representative Williams (121), title to the bill was agreed to.

Representative Graham (24) moved that the vote by which the bill passed be reconsidered.

Representative Berkowitz moved that motion lay on the table.

The latter motion prevailed.

MOTION

Representative Franklin moved that Rule 26 be suspended to allow the House conferees to meet on **SCS HCS HB 1110, as amended**.

Which motion was adopted by the following vote:

AYES: 140

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Clayton	Curls	Davis 122	Davis 63	Dolan
Elliot	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McClelland

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McKenna	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 005

Cierpiot	Hanaway	Hendrickson	Hohulin	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 017

Black	Crawford	Crump	Days	Dougherty
Gambara	Hartzler 123	Kasten	Klindt	Lograsso
McBride	McLuckie	Pryor	Reid	Schwab
Stokan	Summers			

VACANCIES: 001

Representative Franklin requested that the House conferees on **SCS HCS HB 1110, as amended**, be unbound from the House position which bound the conferees to the conference committee report except for sections 10.110 and 10.415, and that the House conferees be allowed to exceed the difference between the two Houses on **SCS HCS HB 1110, as amended**.

Which motion was adopted by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reinhart	Relford
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins

Williams 121 Williams 159 Wilson 25 Wilson 42 Wright
Mr. Speaker

NOES: 002

Hohulin Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 009

Boatright Days Gambaro Hartzler 123 Klindt
Lograsso Pryor Reid Stokan

VACANCIES: 001

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 1808, as amended, relating to St. Louis firemen's retirement, was taken up by Representative O'Toole.

Representative O'Toole moved that the House refuse to adopt **SS SCS HB 1808, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 1568, relating to blood tests for pregnant women, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **SCS HB 1568** was adopted by the following vote:

AYES: 146

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Dolan
Dougherty	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Purgason	Ransdall	Reid
Relford	Reynolds	Richardson	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers

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Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 006

Bartelsmeyer	Elliott	Hohulin	Pouche 30	Ridgeway
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Berkstresser	Burton	Days	Gambara
Lograsso	Naeger	Pryor	Reinhart	Stokan

VACANCIES: 001

On motion of Representative Riback Wilson (25), **SCS HB 1568** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartle	Bennett	Berkowitz	Black
Blunt	Boatright	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Dolan
Dougherty	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gaskill	George	Gibbons	Graham 106
Graham 24	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Purgason	Ransdall	Reid	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 006

Bartelsmeyer	Elliott	Hohulin	Pouche 30	Townley
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Ballard	Berkstresser	Days	Gambara
Gratz	Kelley 47	Lograsso	Naeger	Pryor
Reinhart	Stokan			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Selby, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Riley moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1848, relating to examinations of physicians and surgeons, was taken up by Representative Treadway.

Representative Treadway moved that the House refuse to adopt **SCS HB 1848** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

HS HCS SB 881, as amended, relating to mass transportation fund, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to recede from its position on **HS HCS SB 881, as amended**, and grant the Senate a conference.

Which motion was adopted.

MOTION

On motion of Representative Crump, Rule 63 was suspended for the purpose of taking up **CCR #2 SCS HCS HB 1110, as amended**.

Which motion was adopted by the following vote:

AYES: 140

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Dolan	Dougherty	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann

Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Liese	Lograsso	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Pouche 30	Purgason	Ransdall
Reinhart	Relford	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Elliott	Hanaway	Hohulin	Reynolds
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PRESENT: 000

ABSENT WITH LEAVE: 018

Berkstresser	Black	Days	Evans	Gambaro
Hagan-Harrell	Kasten	Kelley 47	Levin	Linton
Long	Phillips	Pryor	Reid	Sallee
Stokan	Vogel	Williams 121		

VACANCIES: 001

CONFERENCE COMMITTEE REPORT NO. 2 ON HOUSE BILL NO. 1110

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1110, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 1110.
2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1110.
3. That the attached Conference Committee Substitute No. 2 for House Bill No. 1110, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Deleta Williams
/s/ Vicky Riback Wilson
/s/ Charlie Shields
/s/ Jewell Patek

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

BILLS IN CONFERENCE

CCR #2 SCS HCS HB 1110, as amended, relating to appropriations, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **CCR #2 SCS HCS HB 1110, as amended**, was adopted by the following vote:

AYES: 145

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Foster
Franklin	Fraser	Gaskill	George	Gibbons
Graham 106	Graham 24	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 007

Blunt	Boatright	Froelker	Hanaway	Murphy
Reynolds	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 010

Days	Ford	Gambaro	Gratz	Long
Ostmann	Pryor	Robirds	Scott	Stokan

VACANCIES: 001

On motion of Representative Riback Wilson (25), **CCS #2 SCS HCS HB 1110**, was read the third time and passed by the following vote:

AYES: 155

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84

Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Hanaway Murphy

PRESENT: 000

ABSENT WITH LEAVE: 005

Days Gambaro Klindt Pryor Stokan

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Lawson, title to the bill was agreed to.

Representative McBride moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

Representative Backer assumed the Chair.

Speaker Gaw resumed the Chair.

BILLS IN CONFERENCE

CCR SCS HCS HB 1111, as amended, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that Rule 26 be suspended to allow the conferees to meet on **CCR SCS HCS HB 1111, as amended.**

Which motion was adopted by the following vote:

AYES: 151

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Hendrickson Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Days	Elliott	Gambaro	Klindt
Lograsso	Pryor	Sallee	Stokan	

VACANCIES: 001

Representative Franklin offered **Conference Committee Amendment No. 1**

Conference Committee Amendment No. 1.

AMEND Conference Committee Substitute for House Bill No. 1111, Page 19, Section 11.255, Line 3, by deleting the words "**,provided that such funds allocated to the Local Investment Commission shall only be provided to such Commission so long as 75% of such Commission's voting members are Missouri citizens**"; and

Further amend said section, Line 8, by deleting the words " ,**provided that such funds allocated to the Local Investment Commission shall only be provided to such Commission so long as 75% of such Commission's voting members are Missouri citizens**"; and

Further amend said section, Line 13, by deleting the words " ,**provided that such funds allocated to the Local Investment Commission shall only be provided to such Commission so long as 75% of such Commission's voting members are Missouri citizens**".

FOR THE HOUSE:

/s/ Dick Franklin
/s/ Charles Troupe
/s/ Glenda Kelly
/s/ Charlie Shields
/s/ Pat Kelly

FOR THE SENATE:

/s/ Wayne Goode
/s/ Harry Wiggins
/s/ Joe Maxwell
/s/ John Russell
/s/ Morris Westfall

On motion of Representative Franklin, **Conference Committee Amendment No. 1** was adopted by the following vote:

AYES: 150

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 002

Hohulin Wright

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Days	Elliott	Gambaro	Klindt
Legan	Lograsso	Pryor	Richardson	Stokan

VACANCIES: 001

On motion of Representative Troupe, **CCR SCS HCS HB 1111, as amended**, was adopted by the following vote:

AYES: 130

Abel	Akin	Alter	Auer	Barnett
Barry 100	Bennett	Berkowitz	Berkstresser	Black
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Cierpiot
Clayton	Crump	Curls	Davis 122	Davis 63
Dolan	Dougherty	Enz	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Gaskill	Gibbons	Graham 106	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Lograsso	Long	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Pouche 30	Purgason	Ransdall
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 023

Ballard	Bartelsmeyer	Bartle	Blunt	Boatright
Chrismer	Crawford	Evans	Froelker	Griesheimer
Gross	Hendrickson	Hohulin	Linton	Loudon
Luetkemeyer	Murphy	Patek	Phillips	Reid
Scott	Summers	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Backer	Days	Elliott	Gambaro	George
Klindt	Pryor	Stokan	Williams 121	

VACANCIES: 001

On motion of Representative Troupe, **CCS SCS HCS HB 1111, as amended by Conference Committee Amendment No. 1**, was read the third time and passed by the following vote:

AYES: 123

Abel	Alter	Auer	Backer	Barnett
Barry 100	Bennett	Berkowitz	Black	Bonner
Boucher 48	Britt	Bray 84	Brooks	Burton
Campbell	Cierpiot	Clayton	Crump	Curls

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Davis 122	Dolan	Dougherty	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gunn	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Long	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Pouche 30	Ransdall	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 028

Ballard	Bartelsmeyer	Bartle	Berkstresser	Blunt
Boatright	Champion	Chrismer	Crawford	Evans
Gross	Hanaway	Hendrickson	Hohulin	Howerton
Linton	Loudon	Luetkemeyer	Marble	Miller
Murphy	Patek	Phillips	Purgason	Reid
Sallee	Scott	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Akin	Boykins	Davis 63	Days	Elliott
Gambara	Hagan-Harrell	Klindt	Lograsso	Pryor
Stokan				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative George, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Abel moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1112, as amended, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, **CCR SCS HCS HB 1112, as amended**, was adopted by the following vote:

AYES: 094

Abel	Alter	Auer	Backer	Bennett
Berkowitz	Black	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Clayton	Crump	Curls	Davis 122	Davis 63
Dougherty	Elliott	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	George	Graham 106
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hickey	Hilgemann
Hollingsworth	Hoppe	Kelly 27	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Legan
Liese	Long	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Ostmann	Ransdall
Relford	Reynolds	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Scott
Seigfreid	Selby	Shelton	Shields	Skaggs
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 060

Akin	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Berkstresser	Blunt	Boatright	Champion
Chrismer	Cierpiot	Crawford	Dolan	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Griesheimer	Gross	Hanaway	Hartzler 124	Hegeman
Hendrickson	Holand	Hosmer	Howerton	Kelley 47
Kennedy	King	Levin	Linton	Lograsso
Loudon	Luetkemeyer	Marble	McClelland	Miller
Murphy	Myers	Naeger	Nordwald	Overschmidt
Parker	Patek	Phillips	Pouche 30	Purgason
Reid	Reinhart	Richardson	Ridgeway	Schwab
Secrest	Summers	Surface	Williams 159	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Days	Gambaro	Hohulin	Kasten	Klindt
Pryor	Smith	Stokan		

VACANCIES: 001

On motion of Representative Lakin, **CCS SCS HCS HB 1112** was read the third time and passed by the following vote:

AYES: 096

Abel	Alter	Auer	Backer	Bennett
Berkowitz	Black	Bonner	Boucher 48	Bray 84
Britt	Brooks	Burton	Campbell	Clayton
Crump	Curls	Davis 122	Davis 63	Dolan
Dougherty	Elliott	Farnen	Foley	Ford
Franklin	Fraser	George	Graham 106	Graham 24
Gratz	Green	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Kelly 27	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Legan	Liese	Long	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Ostmann
Ransdall	Relford	Reynolds	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Scott	Seigfreid	Selby	Shelton	Shields

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Skaggs	Smith	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 057

Akin	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Berkstresser	Blunt	Boatright	Champion
Chrismer	Cierpiot	Crawford	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Griesheimer
Gross	Hanaway	Hartzler 124	Hendrickson	Hosmer
Howerton	Kelley 47	Kennedy	King	Levin
Linton	Lograsso	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Reid	Reinhart	Richardson
Ridgeway	Schwab	Secrest	Summers	Surface
Williams 159	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Boykins	Days	Fitzwater	Gambaro	Hohulin
Kasten	Klindt	Pryor	Stokan	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Skaggs, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative Backer moved that motion lay on the table.

The latter motion prevailed.

BILL IN CONFERENCE - INFORMAL

CCR SCS HCS HB 1120, as amended, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **CCR SCS HCS HB 1120, as amended**, was adopted by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz

Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Reynolds
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 006

Bartelsmeyer	Hanaway	Hohulin	Murphy	Relford
Richardson				

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Days	Gambaro	Naeger	Pryor
Stokan				

VACANCIES: 001

On motion of Representative Franklin, **CCS SCS HCS HB 1120** was read the third time and passed by the following vote:

AYES: 148

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Bartle	Bennett	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crump	Curls	Davis 122	Davis 63	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway

Troupe Ward Wilson 42	Tudor Wiggins Wright	Van Zandt Williams 121 Mr. Speaker	Vogel Williams 159	Wagner Wilson 25
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NOES: 006

Bartelsmeyer Relford	Hanaway	Hohulin	Loudon	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 008

Barry 100 Naeger	Berkstresser Pryor	Crawford Stokan	Days	Gambaro
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VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Harlan, title to the bill was agreed to.

Representative Ward moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SB 881, as amended**: Senators Wiggins, Scott, Caskey, Sims and Yeckel.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 944, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HB 1808, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Scott, Mathewson, DePasco, Klarich and Kinder.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1848** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Carter, Bland, Scott, Sims and Yeckel.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **CCR #2 on SCS HCS HB 1110, as amended**, and the Senate Conferees were allowed to exceed the differences; and the Senate has taken up and passed **CCS #2 HB 1110**.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HS HCS SB 881: Representatives Hoppe, Auer, Scheve, Griesheimer and Dolan

SCS HB 1848: Representatives Treadway, Foley, Barry, Holand and Hegeman

SS SCS HB 1808: Representatives O'Toole, Franklin, Hagan-Harrell, Elliott and Foster

THIRD READING OF SENATE BILL - INFORMAL

HS HCS SB 856, as amended, relating to regulation of managed care, was taken up by Representative Harlan.

Representative Gunn moved that **HS HCS SB 856, as amended**, be referred to the committee on Fiscal Review.

Which motion was defeated by the following vote:

AYES: 060

Alter	Auer	Ballard	Barnett	Bartle28
Bennett	Berkstresser	Blunt	Bonner	Boykins
Burton	Champion	Chrismer	Crawford	Curls
Dolan	Elliott	Enz	Franklin	Gaskill
Graham 106	Gratz	Gross	Gunn	Hartzler 123
Hartzler 124	Hendrickson	Hohulin	Howerton	Kelley 47
Koller	Kreider	Legan	Liese	Long
Luetkemeyer	Luetkenhaus	Marble	Myers	Nordwald
Phillips	Pouche 30	Purgason	Richardson	Riley
Rizzo	Ross	Sallee	Schwab	Scott
Secrest	Summers	Surface	Thompson	Townley
Troupe	Vogel	Ward	Wilson 42	Wright

NOES: 091

Abel	Akin	Barry 100	Berkowitz	Boatright
Boucher 48	Bray 84	Britt	Campbell	Cierpiot
Clayton	Crump	Davis 122	Davis 63	Dougherty
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Fraser	Froelker	George	Gibbons
Graham 24	Green	Griesheimer	Hampton	Hanaway
Harlan	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Kasten	Kelly 27

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Kennedy	King	Kissell	Klindt	Lakin
Leake	Levin	Linton	Lograsso	Loudon
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Ransdall	Reid	Reinhart
Relford	Reynolds	Ridgeway	Robirds	Scheve
Schilling	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Treadway	Tudor	Van Zandt
Wagner	Wiggins	Williams 121	Williams 159	Wilson 25
Mr. Speaker				

PRESENT: 002

Backer	Brooks
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ABSENT WITH LEAVE: 009

Bartelsmeyer	Black	Days	Gambaro	Hagan-Harrell
Lawson	Naeger	Pryor	Stokan	

VACANCIES: 001

On motion of Representative Harlan, **HS HCS SB 856, as amended**, was read the third time and passed by the following vote:

AYES: 146

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Blunt	Boatright	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Dolan
Dougherty	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 008

Auer	Bartelsmeyer	Berkstresser	Elliott	Hohulin
Luetkemeyer	Nordwald	Sallee		

PRESENT: 001

Gunn

ABSENT WITH LEAVE: 007

Black	Days	Gambaro	Klindt	Naeger
Pryor	Stokan			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

Representative Smith assumed the Chair.

BILL IN CONFERENCE

CCR SCS HS HCS HB 1742, as amended, relating to transportation bonds, was taken up by Representative Koller.

On motion of Representative Koller, **CCR SCS HS HCS HB 1742, as amended**, was adopted by the following vote:

AYES: 138

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Britt	Brooks	Burton	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Foster	Franklin	Froelker	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	King	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Smith	Summers	Surface	Thompson
Townley	Treadway	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

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NOES: 010

Auer	Boykins	Bray 84	Campbell	Fraser
Hendrickson	Kennedy	Murphy	Troupe	Van Zandt

PRESENT: 000

ABSENT WITH LEAVE: 014

Bartelsmeyer	Champion	Days	Ford	Gambaro
Harlan	Hickey	Hohulin	Klindt	Linton
Naeger	Pryor	Skaggs	Stokan	

VACANCIES: 001

On motion of Representative Koller, **CCS SCS HS HCS HB 1742** was read the third time and passed by the following vote:

AYES: 143

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Britt	Brooks	Burton	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	King	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 009

Auer	Boykins	Bray 84	Campbell	Fraser
Kennedy	Murphy	Troupe	Van Zandt	

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Champion	Days	Gambaro	Harlan
Klindt	Linton	Naeger	Pryor	Stokan

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Britt moved that the vote by which the bill passed be reconsidered.

Representative Clayton moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

BILL CARRYING REQUEST MESSAGE

HCS SB 944, as amended, relating to school safety, was taken up by Representative Smith.

Representative Smith moved that the House refuse to recede from its position on **HCS SB 944, as amended**, and grant the Senate a conference.

Which motion was adopted.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 42, relating to equal rights amendment, was taken up by Representative Williams (121).

Representative Bonner made a privileged motion to lay **HJR 42** on the table.

Which motion was adopted by the following vote:

AYES: 084

Akin	Alter	Ballard	Barnett	Barry 100
Bartle	Bennett	Berkowitz	Berkstresser	Black
Blunt	Boatright	Bonner	Burton	Chrismer
Cierpiot	Crawford	Dolan	Elliott	Enz
Farnen	Foster	Froelker	Gaskill	Gibbons
Graham 106	Gratz	Griesheimer	Gross	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
Kennedy	King	Kissell	Legan	Levin
Liese	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	McKenna	Miller	Murphy
Myers	O'Connor	Overschmidt	Patek	Phillips
Pouche 30	Purgason	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Selby
Shields	Summers	Townley	Treadway	Tudor
Vogel	Wagner	Williams 159	Wright	

NOES: 057

Abel	Auer	Backer	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Clayton
Crump	Curls	Davis 122	Davis 63	Dougherty
Evans	Fitzwater	Foley	Franklin	Fraser
Graham 24	Gunn	Hagan-Harrell	Harlan	Hickey
Hilgemann	Hollingsworth	Hosmer	Kelly 27	Koller

Kreider	Lakin	Lawson	Leake	May 108
Mays 50	McBride	McClelland	McLuckie	Merideth
Monaco	Murray	O'Toole	Ostmann	Parker
Riley	Schilling	Shelton	Skaggs	Smith
Thompson	Van Zandt	Ward	Williams 121	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 021

Bartelsmeyer	Champion	Days	Ford	Gambara
George	Green	Hoppe	Klindt	Linton
Naeger	Nordwald	Pryor	Ransdall	Relford
Scheve	Seigfreid	Stokan	Surface	Troupe
Wiggins				

VACANCIES: 001

Representative Williams (121) requested verification of the roll call on the adoption of the motion to lay **HJR 42** on the table.

THIRD READING OF SENATE BILL - INFORMAL

HCS SB 788, relating to employee rights, was taken up by Representative Barry.

Representative Barry offered **HS HCS SB 788**.

Representative Hollingsworth offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 788, Page 11, Section 3, Line 11, by deleting the word “**nine**” and inserting in lieu thereof the word “**eleven**”; and

Further amend said bill, Page 11, Section 3, Line 13, by deleting the word “**one**” and inserting in lieu thereof the word “**two**”; and

Further amend said bill, Page 11, Section 3, Line 13, by deleting the word “**a**” found on said line; and

Further amend said bill, Page 11, Section 3, Line 14, by deleting the word “**representative**” and inserting in lieu thereof the word “**representatives**”; and

Further amend said bill, Page 11, Section 3, Line 15, by deleting the word “**two**” and inserting in lieu thereof the word “**three**”.

On motion of Representative Hollingsworth, **House Amendment No. 1** was adopted.

Representative Van Zandt offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 788, Page 10, Section 2, Line 17, by deleting all of said section.

Representative Van Zandt moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 035

Backer	Bartle	Black	Bray 84	Campbell
Evans	Franklin	Fraser	Gibbons	Graham 106
Harlan	Hegeman	Howerton	Kelley 47	Kelly 27
Lawson	Legan	Long	Loudon	Luetkemeyer
Mays 50	McClelland	Miller	Murphy	Myers
Ostmann	Patek	Purgason	Richardson	Ridgeway
Schwab	Scott	Shelton	Van Zandt	Wilson 25

NOES: 093

Abel	Akin	Alter	Ballard	Barnett
Barry 100	Bennett	Berkowitz	Blunt	Boatright
Bonner	Boucher 48	Britt	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Dolan	Enz	Farnen	Fitzwater	Foley
Foster	Gaskill	Graham 24	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Kasten
Kennedy	King	Kissell	Koller	Kreider
Lakin	Levin	Liese	Lograsso	Luetkenhaus
Marble	May 108	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Phillips	Ransdall	Reid	Reinhart
Reynolds	Riley	Rizzo	Robirds	Ross
Sallee	Schilling	Secrest	Selby	Skaggs
Smith	Summers	Thompson	Townley	Treadway
Tudor	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 42	Mr. Speaker		

PRESENT: 003

Boykins	Brooks	Shields
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ABSENT WITH LEAVE: 031

Auer	Bartelsmeyer	Berkstresser	Burton	Champion
Davis 63	Days	Dougherty	Elliott	Ford
Froelker	Gambaro	George	Gratz	Green
Klindt	Leake	Linton	McBride	Naeger
Nordwald	Pouche 30	Pryor	Relford	Scheve
Seigfreid	Stokan	Surface	Troupe	Williams 121
Wright				

VACANCIES: 001

Representative Smith offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 788, Page 11, Section 3, Line 17, by deleting the word “**two**” and inserting in lieu thereof the word “**three**”.

Representative Hollingsworth raised a point of order that **House Amendment No. 3** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Smith moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Barry, **HS HCS SB 788, as amended**, was adopted.

On motion of Representative Barry, **HS HCS SB 788, as amended**, was read the third time and passed by the following vote:

AYES: 116

Akin	Ballard	Barnett	Barry 100	Bartle
Bennett	Berkowitz	Black	Boatright	Bonner
Boucher 48	Boykins	Britt	Chrismer	Cierpiot
Crump	Curls	Davis 122	Davis 63	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Fraser	Froelker	Gaskill
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hampton	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Levin	Liese
Lograsso	Loudon	Luetkenhaus	May 108	Mays 50
McClelland	McKenna	Merideth	Miller	Monaco
Murray	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Purgason	Ransdall
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Schilling	Schwab	Scott	Secrest	Selby
Shelton	Skaggs	Smith	Summers	Thompson
Treadway	Troupe	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 42	Wright
Mr. Speaker				

NOES: 009

Bray 84	Campbell	Clayton	Luetkemeyer	Myers
Townley	Van Zandt	Williams 121	Wilson 25	

PRESENT: 004

Brooks	McLuckie	Murphy	Shields
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ABSENT WITH LEAVE: 033

Abel	Alter	Auer	Backer	Bartelsmeyer
Berkstresser	Blunt	Burton	Champion	Crawford
Days	Dolan	Elliott	Franklin	Gambaro
George	Gunn	Harlan	Klindt	Legan
Linton	Long	Marble	McBride	Naeger
Nordwald	Pouche 30	Pryor	Relford	Scheve
Seigfreid	Stokan	Surface		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Curls moved that the vote by which the bill passed be reconsidered.

Representative Hollingsworth moved that motion lay on the table.

The latter motion prevailed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1250 - Fiscal Review

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 37 - Retirement

HCR 38 - Social Services, Medicaid and the Elderly

HCR 39 - Labor

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 44 - Miscellaneous Bills and Resolutions

COMMITTEE REPORTS

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **SCS SBs 959 & 598**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education - Elementary and Secondary, Chairman Fitzwater reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **SB 851**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Social Services, Medicaid and the Elderly, Chairman Gunn reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SCR 36**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1363**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1434**, entitled:

An act to repeal sections 316.203 and 316.209, RSMo Supp. 1999, relating to regulation of amusement rides, and to enact in lieu thereof five new sections relating to the same subject, with an effective date.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1434, Page 4, Section 316.210, Line 1, by striking the second occurrence of the word “**person**” and inserting in lieu thereof the word “**owner**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1948**, entitled:

An act to repeal section 304.180, RSMo 1994, and sections 301.010, 303.025, 303.409, 304.170 and 304.200, RSMo Supp. 1999, relating to the regulation of the operation of motor vehicles, and to enact in lieu thereof six new sections relating the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1967**, entitled:

An act to repeal sections 72.409 and 72.416, RSMo 1994, sections 72.400, 72.401, 72.402, 72.403, 72.405, 72.407, 72.408, 72.410, 72.412, 72.418 and 72.422, RSMo Supp. 1998, and sections 72.400, 72.401, 72.402, 72.403, 72.405, 72.407, 72.408, 72.409, 72.412, 72.416, 72.418, 72.422 and 72.423, RSMo Supp. 1999, relating to boundary commissions in certain counties, and to enact in lieu thereof thirteen new sections relating to the same subject, with an emergency clause.

With Senate Amendment No. 1 to Senate Committee Amendment No. 1, Senate Committee Amendment No. 1 as amended, and Senate Amendment No. 1

Senate Amendment No. 1
to
Senate Committee Amendment No. 1

AMEND Senate Committee Amendment No. 1 to House Committee Substitute for House Bill No. 1967, Page 1, Line 13, by striking "72.723" and inserting in lieu thereof the following: "**72.423**".

Senate Committee Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1967, Page 1, In the Title, Line 5, by striking the following: "and 72.423" and inserting in lieu thereof the following: ", **72.423 and 72.424**"; and

Further amend Line 6, by striking the word "thirteen" and inserting in lieu thereof the word "**fourteen**"; and

Further amend said bill, Page 1, Section A, Line 4, by striking the following: "and 72.423" and inserting in lieu thereof the following: ", **72.423 and 72.424**"; and

Further amend said line, by striking the word "thirteen" and inserting in lieu thereof the word "**fourteen**"; and

Further amend Line 6, by striking the following: "and 72.423" and inserting in lieu thereof the following: ", **72.423 and 72.424**"; and

Further amend said bill, Page 16, Section 72.723, Line 36, by inserting after all of said line the following:

"72.424. Notwithstanding any other provisions of sections 72.400 to [72.422] **72.423**, any owner of a tract of land of thirty acres or less owned by a single owner and that is located within two or more municipalities, one municipality being a city of the fourth classification with a population between four thousand six hundred and five thousand, and the other municipality being [of the third classification] **a constitutional charter city** with a population between sixteen thousand three hundred and seventeen thousand, and both municipalities located within a county of the first classification having a charter form of government and having a minimum population of nine hundred thousand, may elect which municipality to belong to by agreement of that municipality. Such owner's election shall occur within ninety days of August 28, [1999] **2000**. Such agreement shall consist of the enactment by the governing body of the receiving municipality of an ordinance describing by metes and bounds the property, declaring the property so described to be detached and annexed, and stating the reasons for and the purposes to be accomplished by the detachment and annexation. A copy of said ordinance shall be mailed to the county clerk and to the city clerk and assessor of the contributing municipality before December fifteenth, with such transfer becoming effective the next January first. Such choice of municipalities shall be permanent. Thereafter, all courts of this state shall take notice of the limits of both municipalities as changed by the ordinances. This section shall only apply to boundary changes effected after January 1, 1990, and occurring by the incorporation of a municipality. This section shall expire and be of no force and effect on March 1, [2000] **2001**."

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1967, Page 16, Section 72.423, Line 36, by inserting immediately after said line the following:

"321.223. 1. Notwithstanding any other provision of law to the contrary, any fire protection district within a county of the first classification with a charter form of government with a population of at least nine hundred thousand may contract with any municipality or village that does not operate their own fire department to provide fire protection services for a fee to any area of the municipality or village that does not belong to the fire protection district. In such event, the municipality and the fire protection district shall, by ordinance duly enacted by the governing board of each, agree upon the terms which such fire protection shall be furnished. The agreement may provide for the payment of a stated sum per year upon any method of compensation for such fire protection that is agreed upon by the fire district and the municipality entering into such contract; provided

that any contract for a period longer than five years shall have no binding force until ratified by a majority of the voters in the fire district and the municipality entering into such a contract.

2. If the fire protection district is authorized to provide ambulance service within its district, the fire protection district may also provide ambulance service to the municipality, upon such terms as the fire district and the municipality may agree, which are not inconsistent with any requirement of subsection 1 of this section."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1452**, entitled:

An act to amend chapter 143, RSMo, and chapter 208, RSMo, by adding thereto two new sections relating to restitution to victims of the Nazi Holocaust.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SB 944, as amended**: Senators Caskey, Maxwell, Howard, Bentley and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1111, as amended**, and has taken up and passed Conference Committee Substitute for **HB 1111, as amended by CCA 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1112, as amended**, and has taken up and passed **CCS HB 1112**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1120, as amended**, and has taken up and passed **CCS HB 1120**.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 6:00 p.m., Sunday, May 7, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-fifth Day, Thursday, May 4, 2000, page 1282, roll call, by showing Representative Van Zandt voting "aye" rather than "absent with leave".

Pages 1285 and 1286, roll call, by showing Representatives Barnett and Williams (121) voting "aye" rather than "absent with leave".

Pages 1286 and 1287, roll call, by showing Representatives Franklin, Hanaway and Murray voting "aye" rather than "absent with leave".

Pages 1287 and 1288, roll call, by showing Representatives Franklin and Luetkemeyer voting "aye" rather than "absent with leave".

Page 1288, roll call, by showing Representatives Franklin, Hosmer and King voting "aye" rather than "absent with leave".

Page 1289, roll call, by showing Representatives Fitzwater and Hosmer voting "aye" rather than "absent with leave".

Pages 1290 and 1291, roll call, by showing Representative Williams (121) voting "aye" rather than "absent with leave".

Page 1291, roll call, by showing Representatives George, Green and Naeger voting "aye" rather than "absent with leave".

Page 1292, roll call, by showing Representative Reinhart voting "no" rather than "absent with leave".

Page 1293, roll call, by showing Representatives Franklin, Green, Hosmer and Kennedy voting "aye" rather than "absent with leave".

Pages 1293 and 1294, roll call, by showing Representatives Hosmer and Kennedy voting "aye" rather than "absent with leave".

Pages 1294 and 1295, roll call, by showing Representatives Franklin, Green and Hosmer voting "aye" rather than "absent with leave".

Pages 1295 and 1296, roll call, by showing Representatives Green, Hosmer and Patek voting "aye" rather than "absent with leave".

Pages 1296 and 1297, roll call, by showing Representatives Blunt, Green, Hosmer and Patek voting "aye" rather than "absent with leave".

Page 1298, roll call, by showing Representatives Black, Hanaway, Myers and Reynolds voting "aye" rather than "absent with leave".

Page 1298, roll call, by showing Representative Relford voting "aye" rather than "absent with leave".

Page 1303, roll call, by showing Representative Hanaway voting "aye" rather than "absent with leave".

Page 1304, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 1305, roll call, by showing Representatives Crawford and Williams (121) voting "aye" rather than "absent with leave".

Page 1307, roll call, by showing Representatives Champion, Davis (63), Kelly (27), Klindt and Summers voting "aye" rather than "absent with leave".

Page 1308, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Page 1309, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Pages 1311 and 1312, roll call, by showing Representative Summers voting "aye" rather than "absent with leave".

Pages 1312 and 1313, roll call, by showing Representative Summers voting "aye" rather than "absent with leave".

Pages 1313 and 1314, roll call, by showing Representatives Hosmer and Summers voting "aye" rather than "absent with leave".

Page 1319, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Page 1321, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Pages 1322 and 1323, roll call, by showing Representatives Foster and Long voting "aye" rather than "absent with leave".

Pages 1325 and 1326, roll call, by showing Representatives Burton, Gross and Kelley (47) voting "aye" rather than "absent with leave".

Page 1331, roll call, by showing Representative Kreider voting "aye" rather than "no".

Page 1331, roll call, by showing Representatives Bartelsmeyer, Burton and Klindt voting "aye" rather than "absent with leave".

Pages 1334 and 1335, roll call, by showing Representatives Burton and Long voting "aye" rather than "absent with leave".

Page 1342, roll call, by showing Representatives Burton, Gross, Parker and Surface voting "aye" rather than "absent with leave".

Page 1342, roll call, by showing Representative Smith voting "no" rather than "absent with leave".

Page 1343, roll call, by showing Representatives Burton and Surface voting "aye" rather than "absent with leave".

Page 1343, roll call, by showing Representatives Parker and Smith voting "no" rather than "absent with leave".

Pages 1344 and 1345, roll call, by showing Representatives Burton, Franklin, Liese, Parker, Smith and Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Sunday, May 7, 2000, 5:45 pm. Side gallery.

Executive Session.

To be considered - SCR 37

ETHICS

Monday, May 8, 2000. Side gallery upon noon adjournment.

Additions to Caucuses: TRUTH, House Demo, Women Legislators, Moderate Agenda.

FISCAL REVIEW

Sunday, May 7, 2000, 5:45 pm. Room 302B.

Executive Session. CANCELLED.

FISCAL REVIEW

Monday, May 8, 2000, 8:30 am. Hearing Room 1.

Executive Session. (Fiscal Note)

To be considered - SB 757, SB 763, SB 842, SB 892

JOINT COMMITTEE ON CORRECTIONS

Monday, May 8, 2000, 8:00 am. Hearing Room 5.

RFP's: Proposed Scope of Services (Mental Health and Medical)

HOUSE CALENDAR

SIXTY-SEVENTH DAY, SUNDAY, MAY 7, 2000

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 45, HCA 1 - Scheve
- 3 HJR 51 - Clayton

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HB 2102 - Hampton
- 3 HB 1066, HCA 1 - Riback Wilson (25)
- 4 HB 1280 - Clayton
- 5 HB 1502 - Smith
- 6 HCS HB 1547 - Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 8 HB 1546 - Smith
- 9 HCS HB 1606 - Bray
- 10 HCS HB 1225 - Hosmer
- 11 HCS HB 1540 - Green
- 12 HCS HB 1942 - Liese
- 13 HCS HB 1578 - Shelton
- 14 HB 2056 - Gunn
- 15 HCS HB 1718 - Smith
- 16 HCS HB 1966 - Hosmer
- 17 HCS HB 1997 - Smith
- 18 HCS HB 1336 - Lakin
- 19 HCS HB 1780 - Liese
- 20 HCS HB 1816 - Hosmer
- 21 HCS HB 1357 - Bonner
- 22 HB 1872 - Seigfreid
- 23 HCS HB 1674 - Graham (24)
- 24 HCS HB 1154 - Boucher
- 25 HCS HB 2114 - Hoppe
- 26 HCS HB 1649 - Williams (121)
- 27 HB 1216 - Kelly (27)
- 28 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1602, as amended - Leake
- 2 HB 1712 - McKenna
- 3 HS HB 1394, as amended - Murray

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 23, (3-16-00, pg. 646) - Bray
- 2 HCR 28, (4-11-00, pg. 916) - Van Zandt
- 3 HCR 34, (5-1-00, pg. 1159) - Clayton
- 4 HCR 31, (5-1-00, pg. 1158) - Hollingsworth

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 38, (4-26-00, pg. 1098) - Kreider
- 2 SCR 29, (4-18-00, pg. 989) - Bray

SENATE BILLS FOR THIRD READING

- 1 HCS SB 896, E.C. - May (108)
- 2 HCS SB 724 - Farnen
- 3 SB 961, E.C. - Ransdall
- 4 HCS SB 858 - Smith
- 5 SCS SB 779 - Wiggins
- 6 SB 1053 - Days
- 7 HCS SS SCS SB 577 - Ransdall
- 8 HCS SB 741 - Backer
- 9 HCS SB 936, E.C. - Bray
- 10 HCS SS SCS SB 763, (Fiscal Review, 5-3-00) - Kissell
- 11 HCS SB 922 - Hagan-Harrell
- 12 HCS SS SCS SB 678 & 742, (Fiscal Review, 5-2-00) - May (108)
- 13 HCS SS SB 902 - Treadway
- 14 SCS SB 557 - Smith
- 15 SS SCS SB 867 & 552, (Fiscal Review, 5-2-00) - Scheve
- 16 HCS SS#2 SCS SB 934, 546, 578, 579 & 782 - Hosmer
- 17 HCS SS#2 SCS SB 757 & 602, (Fiscal Review, 5-4-00) - Scheve
- 18 SCS SB 540 - Wiggins
- 19 HCS SS SCS SB 925, E.C. - Williams (159)
- 20 HCS SB 996 - Hosmer
- 21 HCS SCS SB 842, E.C., (Fiscal Review, 5-4-00) - Hoppe
- 22 HCS SB 921 - Treadway
- 23 SB 892, (Fiscal Review, 5-4-00) - Crump

- 24 HCS SCS SB 683, (Fiscal Review, 5-5-00) - Koller
- 25 HCS SS SCS SB 885, (Fiscal Review, 5-5-00) - Smith
- 26 HCS SB 573, E.C., (Fiscal Review, 5-5-00) - Kissell
- 27 HCS SB 974, (Fiscal Review, 5-5-00) - Lakin
- 28 HCS SCS SB 806 & SB 537, E.C., (Fiscal Review, 5-5-00) - Britt
- 29 HCS SB 851 - Kreider
- 30 HCS SCS SB 597, (Fiscal Review, 5-5-00) - Dougherty

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 HCS SCS SB 894 - Hoppe
- 2 HCS SCS SB 542 - Hoppe

SENATE BILLS FOR THIRD READING - REVISION

- 1 SB 1001 - Clayton
- 2 SB 1002 - Clayton

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HCS HB 1434, SCA 1 - Skaggs
- 2 HCS HB 1967, SA 1 to SCA 1, SCA 1, a.a., & SA 1, E.C. - Hoppe
- 3 SCS HB 1948 - Gratz
- 4 SS SCS HB 1452 - Foley

BILLS IN CONFERENCE

- 1 SCS HB 1591 - Backer
- 2 HS HCS SS SB 549, as amended - Van Zandt
- 3 HCS SS SB 813, as amended - Kissell
- 4 CCR SCS HCS HB 1142, as amended - Ransdall
- 5 HS HCS SB 881, as amended - Hoppe
- 6 SCS HB 1848 - Treadway
- 7 SS SCS HB 1808, as amended, E.C. - O'Toole
- 8 HCS SB 944, as amended - Smith

HOUSE RESOLUTIONS

- 1 HR 557, (5-1-00, pg. 1160) - Gratz
- 2 HR 504, (5-1-00, pg. 1159) - Gratz

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTY-SEVENTH DAY, SUNDAY, MAY 7, 2000

Representative Parker in the Chair.

Prayer by Representative Kelly Parker.

Dear Heavenly Father, please help us to do work that will, in years to come, make our children proud. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Braxton Parker and Callie Jean Legan.

The Journal of the sixty-sixth day was approved as corrected.

HOUSE RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1517

through

House Resolution No. 1521 - Representative Britt

BILL IN CONFERENCE

CCR SCS HCS HB 1142, as amended, relating to traffic regulations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **CCR SCS HCS HB 1142, as amended**, was adopted by the following vote:

AYES: 149

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth

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Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Nordwald	O'Connor	O'Toole	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 002

Linton Purgason

ABSENT WITH LEAVE: 011

Berkstresser	Bonner	Elliott	Evans	Hartzler 124
Holand	McBride	Naeger	Ostmann	Sallee
Stokan				

VACANCIES: 001

On motion of Representative Ransdall, **CCS SCS HCS HB 1142** was read the third time and passed by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Enz	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Nordwald	O'Connor	O'Toole
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward

Wiggins Wright	Williams 121 Mr. Speaker	Williams 159	Wilson 25	Wilson 42
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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Elliott McBride	Evans Naeger	Hartzler 124 Ostmann	Holand Richardson	Klindt Stokan
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VACANCIES: 001

Representative Parker declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Hampton moved that the vote by which the bill passed be reconsidered.

Representative May (108) moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILL WITH SENATE AMENDMENT

HCS HB 1434, with Senate Committee Amendment No. 1, relating to regulation of amusement rides, was taken up by Representative Skaggs.

On motion of Representative Skaggs, the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 148

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Nordwald	O'Connor
O'Toole	Overschmidt	Parker	Patek	Phillips
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid

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Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 006

Ballard	Boatright	Gaskill	Hohulin	Murphy
Pouche 30				

PRESENT: 000

ABSENT WITH LEAVE: 008

Elliott	Evans	Hartzler 124	Holand	McBride
Naeger	Ostmann	Stokan		

VACANCIES: 001

Speaker Gaw assumed the Chair.

On motion of Representative Skaggs, **HCS HB 1434, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Patek	Phillips	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Ridgeway	Riley	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 010

Boatright	Foster	Gaskill	Hohulin	Linton
Lograsso	Murphy	Pouche 30	Richardson	Robirds

PRESENT: 000

ABSENT WITH LEAVE: 008

Elliott	Evans	Hartzler 124	Holand	McBride
Naeger	Ostmann	Stokan		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Auer moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS - REVISION

SB 1001, relating to expired provisions, was taken up by Representative Clayton.

On motion of Representative Clayton, **SB 1001** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Nordwald	O'Connor	O'Toole	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnett	Dolan	Elliott	Evans	Hartzler 124
Holand	Kennedy	McBride	Naeger	Ostmann
Scott	Stokan			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Lawson, title to the bill was agreed to.

Representative Leake moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

SB 1002, relating to court cost, was taken up by Representative Clayton.

On motion of Representative Clayton, **SB 1002** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Enz	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 001

Hegeman

ABSENT WITH LEAVE: 009

Elliott
McBride

Evans
Naeger

Gross
Ostmann

Hartzler 124
Stokan

Holand

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Fraser, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Graham (24) moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

HCS SB 896, relating to business organizations, was taken up by Representative May (108).

Representative May (108) offered **HS HCS SB 896**.

Speaker Pro Tem Kreider assumed the Chair.

Representative Hanaway raised a point of order that **HS HCS SB 896** is not germane to the original bill.

The Chair ruled the point of order not well taken.

Representative May (108) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Pages 60-63, Section 362.044, by deleting all of said section from the bill; and

Further amend said bill, Page 102, Section 362.600, Line 8, by adding after the word “**not**” on said line the word “**otherwise**”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative May (108), **House Amendment No. 1** was adopted.

Representative Liese offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 142, Section 427.220, Line 15 of said page, by deleting the number “**427.220**” and inserting in lieu thereof the number “**369.371**”; and

Further amend said bill, Page 158, Section 362.170, Line 17 of said page, by deleting the words “**subsection 1**” and inserting in lieu thereof the words “**subsection 2**”; and

Further amend said bill, Page 158, Section 362.170, Line 18 of said page, by deleting the words “**subsection 1**” and inserting in lieu thereof the words “**subsection 2**”; and

Further amend said bill, Page 158, Section 362.170, Lines 21 to 22 of said page, by deleting the words “**subsection 1**” and inserting in lieu thereof the words “**subsection 2**”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Liese, **House Amendment No. 2** was adopted.

Representative Liese offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 85, Section 362.245, Line 4 of said page, by deleting the words “[five] **three**” and inserting in lieu thereof the word “**five**”.

On motion of Representative Liese, **House Amendment No. 3** was adopted by the following vote:

AYES: 127

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Crawford
Crump	Curls	Davis 63	Dolan	Dougherty
Enz	Farnen	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hanaway
Harlan	Hartzler 123	Hendrickson	Hickey	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Loudon
Luetkemeyer	Luetkenhaus	Marble	Mays 50	McClelland
McKenna	McLuckie	Merideth	Miller	Murray
Myers	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Riley	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Selby	Shelton
Shields	Summers	Surface	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 024

Berkowitz	Britt	Clayton	Davis 122	Days
Fitzwater	Hagan-Harrell	Hampton	Hilgemann	Hohulin
Koller	May 108	Monaco	Murphy	Purgason
Ransdall	Relford	Rizzo	Robirds	Seigfreid
Skaggs	Smith	Thompson	Williams 121	

PRESENT: 002

Boykins Hegeman

ABSENT WITH LEAVE: 009

Elliott	Evans	Hartzler 124	Holand	Long
McBride	Naeger	Ostmann	Stokan	

VACANCIES: 001

Representative Lograsso offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 134, Section 400.3-312, Line 17 of said page, by inserting after all of said line the following:

"407.125. The provisions of this chapter shall not bar the commissioner of securities from administering the provisions of chapter 409, RSMo.

407.2000. 1. For the purposes of sections 407.2000 to 407.2021, "business opportunity" means the sale or lease of any product, equipment, supplies or services which are sold or leased to a purchaser to enable the purchaser to start a business for which the purchaser is required to pay an initial fee or sum of money in excess of five hundred dollars to the seller, and in which the seller represents:

(1) That the seller or a person or entity affiliated with, or referred by, the seller will provide locations, or assist the purchaser in finding locations, for the use or operation of vending machines, racks, display cases or other similar devices or currency-operated amusement machines or devices on premises neither owned nor leased by the purchaser or the sellers;

(2) That the promoter or its affiliate or designee will refund all or a substantial part of the purchaser's initial payment if the purchaser is unsuccessful or dissatisfied with the business opportunity;

(3) That the seller guarantees in writing that the purchaser will derive income from the business opportunity which exceeds the price paid or rent charged for the business opportunity or that the seller will refund all or part of the price paid or rent charged for the business opportunity or will repurchase any of the products, equipment, supplies or chattels supplied by the seller, if the purchaser is not satisfied with the business opportunity; or

(4) That the business opportunity is free from risk or certain to produce profits, which representation may arise from all of the assurances taken as a whole.

2. For purposes of subsection 1 of this section the term "assist the purchaser in finding locations", includes, but is not limited to, supplying the purchaser with names of locator companies, contracting with the purchaser to provide assistance or supply names or collecting a fee on behalf of or for a locator company.

3. For purposes of sections 407.2000 to 407.2021, "business opportunity" does not include:

(1) The sale of ongoing businesses when the owner of those businesses sells and intends to sell only those business opportunities so long as those business opportunities to be sold are no more than five in number; or

(2) The not-for-profit sale of sales demonstration equipment, materials or samples for a price that does not exceed five hundred dollars or any sales training course offered by the seller, the cost of which does not exceed five hundred dollars.

4. For purposes of sections 407.2000 to 407.2021, "purchaser" shall include a lessee and "seller" shall include a lessor.

407.2015. 1. A business opportunity seller shall not:

(1) Misrepresent, by failure to disclose or otherwise, the known required total investment for such business opportunity;

(2) Misrepresent or fail to disclose efforts to sell or establish more franchises or distributorships than it is reasonable to expect the market or market area for the particular business opportunity to sustain;

(3) Misrepresent the quantity or the quality of the products to be sold or distributed through the business opportunity;

(4) Misrepresent the training and management assistance available to the business opportunity purchaser;

(5) Misrepresent the amount of profits, net or gross, which the franchisee can expect from the operation of the business opportunity;

(6) Misrepresent, by failure to disclose or otherwise, the termination, transfer or renewal provision of a business opportunity agreement;

(7) Falsely claim or imply that a primary marketer or trademark of products or services sponsors or participates directly or indirectly in the business opportunity;

(8) Assign a so-called exclusive territory encompassing the same area to more than one business opportunity purchaser;

(9) Provide machines or display of a brand or kind substantially different from and inferior to those promised by the business opportunity seller;

(10) Fail to provide the purchaser a written contract;

(11) Misrepresent the seller's ability or the ability of a person or entity providing services as defined in subdivision (1) of subsection 1 of section 407.2000 to provide locations or assist the purchaser in finding locations expected to have a positive impact on the success of the business opportunity;

(12) Misrepresent a material fact or create a false or misleading impression in the sale of a business opportunity.

2. Any person who violates the provisions of this section is guilty of a class A misdemeanor.

407.2021. 1. If a business opportunity seller uses untrue or misleading statements in the sale of a business opportunity, fails to give the proper disclosures, or fails to deliver the equipment, supplies or products necessary to begin substantial operation of the business within forty-five days of the delivery date stated in the business opportunity contract, the purchaser may, within one year of the date of the execution of the contract and upon written notice to the seller, rescind the contract and the purchaser shall be entitled to receive from the business opportunity seller all sums paid to the business seller. Upon receipt of such sums, the purchaser shall make available to the seller at the purchaser's address, or at the places at which the purchaser is located at the time notice is given, all products, equipment or supplies received by the purchaser. The purchaser shall not be entitled to unjust enrichment by exercising the remedies provided in this subsection.

2. Any purchaser injured by a violation of sections 407.2000 to 407.2021 or by the business opportunity seller's breach of a contract subject to sections 407.2000 to 407.2021 or any obligation arising therefrom, may bring an action for recovery of damages, including reasonable attorney's fees.

3. Upon complaint of any person that a business opportunity seller has violated the provisions of sections 407.2000 to 407.2021, the circuit court shall have jurisdiction to enjoin the defendant from any further violations.

4. The remedies provided in this section shall be in addition to any other remedies provided by law or in equity."; and

Further amend said bill, Pages 138 to 139, Section 409.1000, by deleting all of said section; and

Further amend said bill, Pages 139 to 141, Section 409.1015, by deleting all of said section; and

Further amend said bill, Pages 141 to 142, Section 409.1018, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lograsso, **House Amendment No. 4** was adopted.

Representative Lakin offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 7, Section 140.110, Line 6, by inserting the following at the end of said line:

“140.160. 1. No proceedings for the sale of land and lots for delinquent taxes [under the provisions of] **pursuant to this chapter, relating to the collection of delinquent and back taxes and providing for foreclosure sale and redemption of land and lots therefore, shall be valid unless initial proceedings therefore shall be commenced within three years after delinquency of such taxes, and any sale held pursuant to initial proceedings commenced within such period of three years shall be deemed to have been in compliance with the provisions of said law insofar as the time at which such sales are to be had is specified therein; provided further, that in suits or actions to collect delinquent drainage and/or levee assessments on real estate such suits or actions shall be commenced within three years after delinquency, otherwise no suit or action therefore shall be commenced, had or maintained, except that the three-year limitation described in this subsection shall not be applicable if any written instrument conveys any real estate having a tax exempt status, if such instrument causes such real estate to again become taxable real property and if such instrument has not been recorded in the office of the recorder in the county in which the real estate has been situated. Such three-year limitation shall only be applicable once the recording of the title has occurred.**

2. In order to enable county and city collectors to be able to collect delinquent and back taxes, the county auditor in all counties having a county auditor shall annually audit and list all delinquent and back taxes and provide a copy of such audit and list to the county collector and to the governing body of the county. A copy of the audit and list may be provided to city collectors within the county at the discretion of the county collector.”.

On motion of Representative Lakin, **House Amendment No. 5** was adopted.

Representative Auer offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 120, Section 375.017, Line 21 of said page, by inserting after all of said line the following:

"5. Any bank or trust company in their sale or issuance of insurance products or services, as authorized pursuant to section 362.105, RSMo, shall be subject to the insurance laws of this state and rules adopted by the department of insurance."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Auer, **House Amendment No. 6** was adopted.

Representative Schilling offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 74, Section 362.105, Line 4 of said page, by inserting after all of said line the following:

“6. A bank or trust company shall offer to its customers the opportunity to prohibit the transfer of the customer’s personal information to any other business entity or to other nonbanking divisions of the bank or trust company, including securities or insurance. Any bank or trust company which transfers information in violation of a customer’s prohibition shall be fined at least ten thousand dollars and not more than fifty thousand dollars per occurrence.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative McLuckie offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 74, Section 362.105, Line 4 of said page, by inserting after all of said line the following:

“6. A bank or trust company shall offer to its customers the opportunity to prohibit the transfer of the customer’s personal information to any other business entity or to other nonbanking divisions of the bank or trust company, including securities or insurance. The bank’s or trust company’s nonbanking divisions shall offer to its customers the opportunity to prohibit the transfer of the customer’s personal information to any other business entity or to other nonbanking divisions of the bank or trust company, including securities or insurance. Any bank or trust company or nonbanking division thereof which transfers information in violation of a customer’s prohibition shall be fined at least ten thousand dollars and not more than fifty thousand dollars per occurrence. The Division of Finance shall adopt rules necessary to implement the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of Chapter 536, RSMo.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative McLuckie moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 044

Backer	Berkowitz	Boykins	Bray 84	Brooks
Campbell	Curls	Davis 63	Days	Dougherty
Farnen	Ford	Franklin	Fraser	Froelker
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Harlan	Hickey	Hilgemann	Hollingsworth
Hosmer	Kelly 27	Levin	McLuckie	Murphy
Murray	Reynolds	Riley	Schilling	Selby
Skaggs	Smith	Thompson	Troupe	Van Zandt
Wiggins	Williams 121	Wilson 25	Wilson 42	

NOES: 103

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Britt	Burton	Champion	Chrismer
Cierpiot	Crawford	Crump	Davis 122	Dolan
Enz	Fitzwater	Foley	Foster	Gambaro
Gibbons	Graham 106	Griesheimer	Gross	Hampton
Hanaway	Hartzler 123	Hegeman	Hendrickson	Hohulin
Hoppe	Howerton	Kasten	Kelley 47	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Leake	Legan	Liese	Lograsso
Loudon	Luetkemeyer	Marble	May 108	Mays 50
McClelland	McKenna	Merideth	Miller	Monaco
Myers	Nordwald	O'Connor	O'Toole	Overschmidt

Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Secrest	Seigfreid
Shelton	Shields	Summers	Surface	Townley
Treadway	Tudor	Vogel	Wagner	Ward
Williams 159	Wright	Mr. Speaker		

PRESENT: 001

Reid

ABSENT WITH LEAVE: 014

Clayton	Elliott	Evans	Gaskill	Hartzler 124
Holand	Lawson	Linton	Long	Luetkenhaus
McBride	Naeger	Ostmann	Stokan	

VACANCIES: 001

HCS SB 896, with House Amendment No. 7 and HS, as amended, pending, was laid over.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 1452, relating to taxation, was taken up by Representative Foley.

On motion of Representative Foley, **SS SCS HB 1452** was adopted by the following vote:

AYES: 146

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Days	Dolan	Dougherty	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Lograsso	Loudon	Luetkemeyer	Marble
May 108	Mays 50	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Nordwald	O'Connor	O'Toole	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 015

Auer	Davis 63	Elliott	Evans	Gaskill
Hartzler 124	Holand	Linton	Long	Luetkenhaus
McBride	Murphy	Naeger	Ostmann	Stokan

VACANCIES: 001

On motion of Representative Foley, **SS SCS HB 1452** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Days	Dolan	Dougherty	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Lograsso	Loudon	Luetkemeyer	Marble
May 108	Mays 50	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Nordwald	O'Connor	O'Toole	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 017

Auer	Davis 63	Elliott	Evans	Gaskill
Hartzler 124	Holand	Linton	Long	Luetkenhaus
McBride	Murphy	Naeger	Ostmann	Schilling
Shields	Stokan			

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hollingsworth, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1948, relating to special mobile equipment, was taken up by Representative Gratz.

Representative Gratz moved that the House refuse to adopt **SCS HB 1948** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Gaw resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 788, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 856, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Conference Committee Report on **SCS HS HCS HB 1742, as amended**, is being returned for the purpose of adopting the emergency clause on the Conference Committee Substitute.

MOTION

CCS SCS HS HCS HB 1742, relating to transportation bonds, was taken up by Representative Koller.

On motion of Representative Koller, the emergency clause on **CCS SCS HS HCS HB 1742** was adopted by the following vote:

AYES: 132

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Britt	Burton	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Dolan	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	George	Gibbons	Graham 106

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Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hegeman	Hendrickson	Hickey	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	King	Kissell	Klindt	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Lograsso	Loudon	Luetkemeyer	Marble
May 108	Mays 50	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Nordwald	O'Connor	Overschmidt	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Vogel	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 010

Boykins	Bray 84	Days	Fraser	Gambaro
Gaskill	Hohulin	Kennedy	Murphy	O'Toole

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 019

Auer	Campbell	Davis 63	Elliott	Evans
Hartzler 124	Hilgemann	Holand	Lawson	Linton
Long	Luetkenhaus	McBride	Naeger	Ostmann
Parker	Stokan	Van Zandt	Wiggins	

VACANCIES: 001

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 944: Representatives Smith, Davis (122), Hollingsworth, McClelland and Patek

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m., Monday, May 8, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-sixth Day, Friday, May 5, 2000, pages 1355 and 1356, roll call, by showing Representative Crump voting "aye" rather than "absent with leave".

Pages 1356 and 1357, roll call, by showing Representative McKenna voting "aye" rather than "absent with leave".

Pages 1357 and 1358, roll call, by showing Representatives Crawford, Crump, Klindt and Summers voting "aye" rather than "absent with leave".

Pages 1358 and 1359, roll call, by showing Representatives Boatright and Klindt voting "aye" rather than "absent with leave".

Pages 1359 and 1360, roll call, by showing Representatives Burton and Reinhart voting "aye" rather than "absent with leave".

Pages 1361 and 1362, roll call, by showing Representatives Levin and Phillips voting "aye" rather than "absent with leave".

Page 1363, roll call, by showing Representative Robirds voting "aye" rather than "absent with leave".

Pages 1363 and 1364, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Page 1365, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Pages 1366 and 1367, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Page 1367, roll call, by showing Representatives George and Klindt voting "aye" rather than "absent with leave".

Pages 1367 and 1368, roll call, by showing Representatives Davis (63) and Klindt voting "aye" rather than "absent with leave".

Page 1369, roll call, by showing Representatives Klindt and Smith voting "aye" rather than "absent with leave".

Pages 1369 and 1370, roll call, by showing Representatives Fitzwater and Klindt voting "aye" rather than "absent with leave".

Pages 1371 and 1372, roll call, by showing Representative Crawford voting "aye" rather than "absent with leave".

Pages 1374 and 1375, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Pages 1375 and 1376, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Page 1376, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Pages 1377 and 1378, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Page 1379, roll call, by showing Representatives Burton and Pouche voting "aye" rather than "absent with leave".

Page 1379, roll call, by showing Representatives Davis (63), Surface and Wright voting "no" rather than "absent with leave".

Page 1380, roll call, by showing Representatives Abel, Burton, Crawford, Long, Pouche and Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

ETHICS

Monday, May 8, 2000. Side gallery upon noon adjournment.

Additions to Caucuses: TRUTH, House Democrats, Women Legislators, Moderate Agenda

FISCAL REVIEW

Monday, May 8, 2000, 8:30 am. Hearing Room 1.

Executive Session. (Fiscal Note).

To be considered - SB 757, SB 763, SB 842, SB 892

JOINT COMMITTEE ON CORRECTIONS

Monday, May 8, 2000, 8:00 am. Hearing Room 5.

RFP's: Proposed Scope of Services (Mental Health and Medical)

HOUSE CALENDAR

SIXTY-EIGHTH DAY, MONDAY, MAY 8, 2000

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 45, HCA 1 - Scheve
- 3 HJR 51 - Clayton

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HB 2102 - Hampton
- 3 HB 1066, HCA 1 - Riback Wilson (25)
- 4 HB 1280 - Clayton
- 5 HB 1502 - Smith

- 6 HCS HB 1547 - Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 8 HB 1546 - Smith
- 9 HCS HB 1606 - Bray
- 10 HCS HB 1225 - Hosmer
- 11 HCS HB 1540 - Green
- 12 HCS HB 1942 - Liese
- 13 HCS HB 1578 - Shelton
- 14 HB 2056 - Gunn
- 15 HCS HB 1718 - Smith
- 16 HCS HB 1966 - Hosmer
- 17 HCS HB 1997 - Smith
- 18 HCS HB 1336 - Lakin
- 19 HCS HB 1780 - Liese
- 20 HCS HB 1816 - Hosmer
- 21 HCS HB 1357 - Bonner
- 22 HB 1872 - Seigfreid
- 23 HCS HB 1674 - Graham (24)
- 24 HCS HB 1154 - Boucher
- 25 HCS HB 2114 - Hoppe
- 26 HCS HB 1649 - Williams (121)
- 27 HB 1216 - Kelly (27)
- 28 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1602, as amended - Leake
- 2 HB 1712 - McKenna
- 3 HS HB 1394, as amended - Murray

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 23, (3-16-00, pg. 646) - Bray
- 2 HCR 28, (4-11-00, pg. 916) - Van Zandt
- 3 HCR 34, (5-1-00, pg. 1159) - Clayton
- 4 HCR 31, (5-1-00, pg. 1158) - Hollingsworth

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 38, (4-26-00, pg. 1098) - Kreider
- 2 SCR 29, (4-18-00, pg. 989) - Bray

SENATE BILLS FOR THIRD READING

- 1 HCS SB 896, E.C., HA 7, HS, as amended, pending - May (108)
- 2 HCS SB 724 - Farnen
- 3 SB 961, E.C. - Ransdall
- 4 HCS SB 858 - Smith
- 5 SCS SB 779 - Wiggins
- 6 SB 1053 - Days
- 7 HCS SS SCS SB 577 - Ransdall
- 8 HCS SB 741 - Backer
- 9 HCS SB 936, E.C. - Bray
- 10 HCS SS SCS SB 763, (Fiscal Review, 5-3-00) - Kissell
- 11 HCS SB 922 - Hagan-Harrell
- 12 HCS SS SCS SB 678 & 742, (Fiscal Review, 5-2-00) - May (108)
- 13 HCS SS SB 902 - Treadway
- 14 SCS SB 557 - Smith
- 15 SS SCS SB 867 & 552, (Fiscal Review, 5-2-00) - Scheve
- 16 HCS SS#2 SCS SB 934, 546, 578, 579 & 782 - Hosmer
- 17 HCS SS#2 SCS SB 757 & 602, (Fiscal Review, 5-4-00) - Scheve
- 18 SCS SB 540 - Wiggins
- 19 HCS SS SCS SB 925, E.C. - Williams (159)
- 20 HCS SB 996 - Hosmer
- 21 HCS SCS SB 842, E.C., (Fiscal Review, 5-4-00) - Hoppe
- 22 HCS SB 921 - Treadway
- 23 SB 892, (Fiscal Review, 5-4-00) - Crump
- 24 HCS SCS SB 683, (Fiscal Review, 5-5-00) - Koller
- 25 HCS SS SCS SB 885, (Fiscal Review, 5-5-00) - Smith
- 26 HCS SB 573, E.C., (Fiscal Review, 5-5-00) - Kissell
- 27 HCS SB 974, (Fiscal Review, 5-5-00) - Lakin
- 28 HCS SCS SB 806 & SB 537, E.C., (Fiscal Review, 5-5-00) - Britt
- 29 HCS SB 851 - Kreider
- 30 HCS SCS SB 597, (Fiscal Review, 5-5-00) - Dougherty
- 31 HCS SB 722 - Smith
- 32 SB 910 - Abel

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 HCS SCS SB 894 - Hoppe
- 2 HCS SCS SB 542 - Hoppe

HOUSE BILL WITH SENATE AMENDMENTS

HCS HB 1967, SA 1 to SCA 1, SCA 1, as amended, & SA 1, E.C. - Hoppe

BILLS CARRYING REQUEST MESSAGES

- 1 HS HCS SB 856, as amended, (req. House recede/grant conf.) - Harlan
- 2 HS HCS SB 788, as amended, (req. House recede/grant conf.) - Barry
- 3 SCS HB 1948, (req. Senate recede/grant conf.) - Gratz

BILLS IN CONFERENCE

- 1 SCS HB 1591 - Backer
- 2 HS HCS SS SB 549, as amended - Van Zandt
- 3 HCS SS SB 813, as amended - Kissell
- 4 HS HCS SB 881, as amended - Hoppe
- 5 SCS HB 1848 - Treadway
- 6 SS SCS HB 1808, as amended, E.C. - O'Toole
- 7 HCS SB 944, as amended - Smith

HOUSE RESOLUTIONS

- 1 HR 557, (5-1-00, pg. 1160) - Gratz
- 2 HR 504, (5-1-00, pg. 1159) - Gratz

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTY-EIGHTH DAY, MONDAY, MAY 8, 2000

Speaker Gaw in the Chair.

Prayer by Ralph Robinett, Sergeant at Arms.

Lord, You have invited us to cast our burdens upon You and have promised to care for us. Help us to face our challenges with the calm assurance that You are with us. Give us the peace and strength to make it through this week. In Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lester Dial, Keslie Hays, MaRyah Cockrell, Katie Forsyth, Travis Harvey, Dustin Carmack, Lucas Appling, Aaron Briscoe, Amanda Mobley, Rachel Sander, Stephanie Whitter and Tara Green.

The Journal of the sixty-seventh day was approved as corrected by the following vote:

AYES: 081

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Gambaro	George
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	McKenna
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 065

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Evans	Foster	Froelker	Gibbons
Graham 106	Griesheimer	Gross	Hanaway	Hartzler 124
Hegeman	Hendrickson	Hohulin	Howerton	Kelley 47
King	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Murphy	Myers	Naeger	Nordwald

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Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reinhart	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Surface	Tudor	Vogel	Wright

PRESENT: 001

Reid

ABSENT WITH LEAVE: 015

Berkstresser	Boucher 48	Burton	Enz	Fraser
Gaskill	Hartzler 123	Holand	Kasten	Mays 50
McBride	McLuckie	Stokan	Summers	Townley

VACANCIES: 001

RESOLUTION

Representative Riback Wilson (25) offered House Resolution No. 1541.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1522

through

House Resolution No. 1524 - Representative Linton

House Resolution No. 1525 - Representative McKenna

House Resolution No. 1526 - Representative Hagan-Harrell

House Resolution No. 1527 - Representative Hanaway

House Resolution No. 1528

through

House Resolution No. 1540 - Representative Relford

House Resolution No. 1542

and

House Resolution No. 1543 - Representative Patek

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 926 - Fiscal Review (Fiscal Note)

BILL CARRYING REQUEST MESSAGE

HS HCS SB 788, as amended, relating to employee rights, was taken up by Representative Barry.

Representative Barry moved that the House refuse to recede from its position on **HS HCS SB 788, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE CONCURRENT RESOLUTIONS

SCR 38, relating to building code implementation, was taken up by Representative Kreider.

Representative Legan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Concurrent Resolution No. 38, of Senate Journal for the Fifty-Second Day of Monday, April 10, 2000, Page 648, Lines 1-3, by deleting all of said lines; and

Further amend said resolution, Page 648, Line 24, by immediately inserting after the word “**obligations**” the following:

“and four additional citizen members shall be appointed to the commission consisting of two home builders-urban and two home builders-rural before the commission is scheduled for their next meeting.”.

On motion of Representative Legan, **House Amendment No. 1** was adopted.

On motion of Representative Kreider, **SCR 38, as amended**, was read the third time and passed by the following vote:

AYES: 148

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hegeman	Hendrickson	Hickey
Hilgemann	Hollingsworth	Hoppe	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Hartzler 124 Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 012

Bartelsmeyer	Boucher 48	Burton	Gibbons	Harlan
Hartzler 123	Holand	Hosmer	Lograsso	McBride
Stokan	Townley			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Berkowitz, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Davis (122) moved that motion lay on the table.

The latter motion prevailed.

SCR 29, relating to sales use tax, was taken up by Representative Bray.

On motion of Representative Bray, **SCR 29** was read the third time and passed by the following vote:

AYES: 144

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bennett
Berkowitz	Berkstresser	Black	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
May 108	Mays 50	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Treadway	Tudor	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 011

Bartle	Boatright	Evans	Gross	Hanaway
Hendrickson	Hohulin	Marble	Murphy	Phillips
Troupe				

PRESENT: 000

ABSENT WITH LEAVE: 007

Burton	Holand	Levin	McBride	Stokan
Townley	Van Zandt			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Riley moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

BILL CARRYING REQUEST MESSAGE

HS HCS SB 856, as amended, relating to regulation of managed care, was taken up by Representative Harlan.

Representative Harlan moved that the House refuse to recede from its position on **HS HCS SB 856, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HS HCS SB 788: Representatives Barry, Kennedy, Graham (24), Tudor and Bartelsmeyer

HS HCS SB 856: Representatives Harlan, Foley, Wilson (42), Reinhart and Shields

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1396**, entitled:

An act to repeal sections 172.360, 174.620 and 175.021, RSMo 1994, and sections 172.020, 172.037, 174.610 and 175.020, RSMo Supp. 1999, relating to public schools, and to enact in lieu thereof fifteen new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SB 788, as amended**: Senators Johnson, Maxwell, Wiggins, Singleton and Sims.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SB 856, as amended**: Senators Maxwell, Wiggins, Carter, Singleton and Bentley.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1142, as amended**, and has taken up and passed **CCS SCS HCS HB 1142**.

THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 23, relating to sales and use tax, was stricken from the calendar.

HCR 28, relating to “KC 150 Day”, was taken up by Representative Van Zandt.

On motion of Representative Van Zandt, **HCR 28** was read the third time and passed by the following vote:

AYES: 154

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Hoppe	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Burton	Crawford	Holand	Hosmer	McBride
Patek	Stokan	Townley		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Britt, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Curls moved that motion lay on the table.

The latter motion prevailed.

HCR 34, relating to acts of the second regular session, was taken up by Representative Clayton.

On motion of Representative Clayton, **HCR 34** was read the third time and passed by the following vote:

AYES: 153

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Hoppe	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Burton	Harlan	Hartzler 123	Holand	Hosmer
McBride	Sallee	Stokan	Townley	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Selby moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

HCS SB 896, with House Amendment No. 7 and HS, as amended, pending, relating to business organizations, was taken up by Representative May (108).

House Amendment No. 7 was withdrawn.

Representative Gibbons offered **House Amendment No. 7**.

Representative May (108) raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Levin offered **House Amendment No. 7**.

Representative May (108) raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Backer offered **House Amendment No. 7**.

Representative Reid raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Pouche offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 116, Section 365.020, by inserting after said section:

“367.031. 1. At the time of making any secured personal credit loan, the lender shall execute and deliver to the borrower a receipt for and describing the tangible personal property subjected to the security interest to secure the payment of the loan. The receipt shall contain the following:

- (1) The name and address of the pawnshop;
- (2) The name and address of the pledgor, the pledgor's description, and the driver's license number, military identification number, identification certificate number, or other official number capable of identifying the pledgor;
- (3) The date of the transaction;
- (4) An identification and description of the pledged goods, including serial numbers if reasonably available;
- (5) The amount of cash advanced or credit extended to the pledgor;
- (6) The amount of the pawn service charge;
- (7) The total amount which must be paid to redeem the pledged goods on the maturity date;
- (8) The maturity date of the pawn transaction; and
- (9) A statement to the effect that the pledgor is not obligated to redeem the pledged goods, and that the pledged goods may be forfeited to the pawnbroker sixty days after the specified maturity date.

2. The pawnbroker [may be required, in accordance with local ordinances, to] **shall** furnish local law enforcement authorities with copies of information contained in subdivisions (1) to (4) of subsection 1 of this section, **upon request.**

3. If the pawn ticket is lost, destroyed, or stolen, the pledgor may so notify the pawnbroker in writing, and receipt of such notice shall invalidate such pawn ticket, if the pledged goods have not previously been redeemed. Before delivering the pledged goods or issuing a new pawn ticket, the pawnbroker shall require the pledgor to make a written affidavit of the loss, destruction or theft of the ticket. The pawnbroker shall record on the written statement the identifying information required, the date the statement is given, and the number of the pawn ticket lost, destroyed, or stolen. The affidavit shall be signed by a notary public appointed by the secretary of state pursuant to section 486.205, RSMo, to perform notarial acts in this state.”; and

Further amend the title and enacting clause accordingly.

Representative Monaco raised a point of order that **House Amendment No. 7** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Skaggs offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 116, Section 365.020, by inserting after said section the following:

“367.031. 1. At the time of making any secured personal credit loan, the lender shall execute and deliver to the borrower a receipt for and describing the tangible personal property subjected to the security interest to secure the payment of the loan. The receipt shall contain the following:

- (1) The name and address of the pawnshop;
- (2) The name and address of the pledgor, the pledgor's description, and the driver's license number, military identification number, identification certificate number, or other official number capable of identifying the pledgor;
- (3) The date of the transaction;
- (4) An identification and description of the pledged goods, including serial numbers if reasonably available;
- (5) The amount of cash advanced or credit extended to the pledgor;
- (6) The amount of the pawn service charge;
- (7) The total amount which must be paid to redeem the pledged goods on the maturity date;
- (8) The maturity date of the pawn transaction; and
- (9) A statement to the effect that the pledgor is not obligated to redeem the pledged goods, and that the pledged goods may be forfeited to the pawnbroker sixty days after the specified maturity date.

2. The pawnbroker [may be required, in accordance with local ordinances, to] **shall** furnish local law enforcement authorities with copies of information contained in subdivisions (1), **3** [to] **and** (4) of subsection 1 of this section, **upon request[.] if the property in question is determined to be stolen, the pawnbroker shall provide law enforcement with the information contained in subdivision (2) of subsection 1 of this section.**

3. If the pawn ticket is lost, destroyed, or stolen, the pledgor may so notify the pawnbroker in writing, and receipt of such notice shall invalidate such pawn ticket, if the pledged goods have not previously been redeemed. Before delivering the pledged goods or issuing a new pawn ticket, the pawnbroker shall require the pledgor to make a written affidavit of the loss, destruction or theft of the ticket. The pawnbroker shall record on the written statement the identifying information required, the date the statement is given, and the number of the pawn ticket lost, destroyed, or stolen. The affidavit shall be signed by a notary public appointed by the secretary of state pursuant to section 486.205, RSMo, to perform notarial acts in this state.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Skaggs, **House Substitute Amendment No. 1 for House Amendment No. 7** was adopted.

Representative Monaco offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 41, Section 351.482, Line 10, by deleting said line and inserting in lieu thereof the following:

“(3) At the request of the corporation, be published by the Secretary of State in an electronic format accessible to the public.”.

On motion of Representative Monaco, **House Amendment No. 8** was adopted.

Representative Fraser offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 147, Section 2, Line 12, by inserting after said line the following:

"Section 3. 1. As used in this section, the terms "consumer" and "person" shall have the same meaning as in the definition section of the Federal Fair Credit Reporting Act, 15 U.S.C. 1681a, as amended.

2. The provisions of this section shall be in addition to the provisions of the Federal Fair Credit Reporting Act, 15 U.S.C. 1681 et. seq., as amended, and, pursuant to 15 U.S.C. 1681t(a), as amended, the provisions of the Federal Fair Credit Reporting Act, or any other applicable federal law, shall control to the extent of any

inconsistency between this section and the Federal Fair Credit Reporting Act.

3. No person shall sell information containing both the name and the credit card number of any consumer to any other person, unless that consumer has expressly agreed, either orally or in writing, to the sale of his or her name and credit card number by the person selling such information. A violation of this section shall be an unlawful merchandising practice in violation of sections 407.010 to 407.145."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Fraser, **House Amendment No. 9** was adopted by the following vote:

AYES: 091

Abel	Akin	Alter	Barry 100	Bartelsmeyer
Bartle	Bennett	Berkowitz	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Brooks
Campbell	Chrismer	Cierpiot	Crump	Curls
Davis 63	Days	Dougherty	Evans	Farnen
Foley	Ford	Franklin	Fraser	Gambaro
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hanaway	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelley 47	Kelly 27	Kissell	Koller
Legan	Levin	Linton	Long	Loudon
McClelland	McKenna	McLuckie	Merideth	Monaco
Murphy	Murray	Naeger	O'Connor	O'Toole
Ostmann	Reid	Reynolds	Ridgeway	Riley
Rizzo	Scheve	Schilling	Scott	Secrest
Selby	Shelton	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 062

Auer	Backer	Barnett	Berkstresser	Boatright
Britt	Champion	Clayton	Crawford	Davis 122
Dolan	Elliott	Enz	Fitzwater	Foster
Froelker	Gaskill	Hampton	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Howerton	Kasten
Kennedy	King	Klindt	Kreider	Lakin
Lawson	Leake	Liese	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	Miller	Myers
Nordwald	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reinhart
Relford	Robirds	Ross	Sallee	Schwab
Seigfreid	Shields	Summers	Surface	Townley
Vogel	Wagner			

PRESENT: 000

ABSENT WITH LEAVE: 009

Ballard	Burton	Harlan	Holand	Lograsso
McBride	Richardson	Stokan	Tudor	

VACANCIES: 001

Representative Evans offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 7, Section 143.331, Line 20, by inserting after all of said section the following:

"144.815. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 66.600 to 66.635, RSMo, sections 67.500 to 67.545, 67.547, 67.581, 67.582, 67.671 to 67.685, 67.700 to 67.729, 67.730 to 67.739, 67.782, RSMo, sections 92.400 to 92.420, RSMo, sections 94.500 to 94.570, 94.600 to 94.655, 94.700 to 94.755, RSMo, and sections 144.010 to 144.510 and 144.600 to 144.745, and from the computation of the tax levied, assessed or payable pursuant to sections 66.600 to 66.635, RSMo, sections 67.500 to 67.545, 67.547, 67.581, 67.582, 67.671 to 67.685, 67.700 to 67.729, 67.730 to 67.739, 67.782, RSMo, sections 92.400 to 92.420, RSMo, sections 94.500 to 94.570, 94.600 to 94.655, 94.700 to 94.755, RSMo, and sections 144.010 to 144.510 and 144.600 to 144.745, purchases of bullion and investment coins. For purposes of this section the following terms shall mean:

(1) "Bullion", gold, silver, platinum or palladium in a bulk state, where its value depends on its content rather than its form, with a purity of not less than nine hundred parts per one thousand; and

(2) "Investment coins", numismatic coins or other forms of money and legal tender manufactured of gold, silver, platinum, palladium or metals with a fair market value greater than the face value of the coins."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Evans, **House Amendment No. 10** was adopted.

Representative Lograsso offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 116, Section 365.020, by inserting immediately after House Amendment No. 4 the following:

"367.052. When an item of property is the subject of a lease, rental transaction or retail installment contract with a company domiciled in the state, between the claimant and the claimant's lease or rental customer at the time it is delivered into the possession of the pawnbroker, the property shall not be deemed misappropriated unless it bears a conspicuous permanent label or marking identifying it as the claimant's property. Evidence of defacing or the removal of identification marking of leased or rented property shall be treated as marked and identified and therefore deemed to be misappropriated. Property subject to a lease, rental transaction or retail installment contract with a company domiciled in the state, which is not marked as provided in this subsection may be recovered by the claimant [upon payment to the pawnbroker of all moneys owing to or advanced by the pawnbroker in the pawn or purchase transaction, and] upon producing evidence identifying the property as having been the property of the claimant and leased or rented at the time the property was placed in the pawnbroker's possession. The pawnbroker shall be free from liability in connection with the recovery of leased or rental property pursuant to this subsection."

On motion of Representative Lograsso, **House Amendment No. 11** was adopted.

Representative Bartle offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 118, Section 375.017, Line 23, by inserting after the word **"basis"** the following:

“and if his or her state’s continuing education requirement for licensees is comparable to the requirements of this state.”.

On motion of Representative Bartle, **House Amendment No. 12** was adopted.

On motion of Representative May (108), **HS HCS SB 896, as amended**, was adopted.

On motion of Representative May (108), **HS HCS SB 896, as amended**, was read the third time and passed by the following vote:

AYES: 144

Abel	Akin	Alter	Auer	Backer
Barnett	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Britt	Brooks	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McClelland	McKenna	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reinhart	Relford	Reynolds	Richardson
Riley	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 42	Wright	Mr. Speaker	

NOES: 008

Bray 84	Farnen	Harlan	McLuckie	Murphy
Schilling	Van Zandt	Wilson 25		

PRESENT: 001

Reid

ABSENT WITH LEAVE: 009

Ballard	Barry 100	Burton	Holand	McBride
Ridgeway	Sallee	Shields	Stokan	

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Abel	Akin	Alter	Auer	Backer
Barnett	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Britt	Brooks	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Fitzwater	Foley	Ford	Foster	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hickey	Hilgemann
Hohulin	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McClelland
McKenna	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reinhart
Relford	Reynolds	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Vogel
Wagner	Ward	Wiggins	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 008

Bray 84	Farnen	Harlan	Hendrickson	McLuckie
Reid	Schilling	Van Zandt		

PRESENT: 000

ABSENT WITH LEAVE: 011

Ballard	Barry 100	Burton	Franklin	Holand
McBride	Murphy	Richardson	Ridgeway	Stokan
Williams 121				

VACANCIES: 001

On motion of Representative Backer, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL - INFORMAL

HCS SCS SB 894, relating to delinquent property taxes, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SCS SB 894**.

Representative Reid raised a point of order that **HS HCS SCS SB 894** goes beyond the scope of the original bill.

The Chair ruled the point of order well taken.

HCS SCS SB 894 was placed on the Informal Calendar.

THIRD READING OF SENATE BILLS

SB 961, relating to National Guard scholarships, was taken up by Representative Ransdall.

Representative Ransdall offered **HS SB 961**.

Representative Ward offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for Senate Bill No. 961, Page 1, In the Title, Lines 2 to 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal section 173.239, RSMo Supp. 1999, and to enact in lieu thereof six new sections relating to assistance for members of the Missouri military, with an emergency clause for a certain section"; and

Further amend said bill, Page 1, Section A, Line 12 of said page, by inserting after all of said line the following:

"42.150. 1. Every person who served on active duty in the United States military service, including the merchant marine serving under veteran status, during World War II, except those excluded pursuant to section 42.155, for a period of at least one hundred eighty-one consecutive days, and who, either at the time of entering service, was a legal resident of the state of Missouri, or was a resident of the state at the time this bill was presented in 2000, and who was honorably separated or discharged from service, or is still in active service in an honorable status, or has been retired, furloughed to a reserve or placed on inactive status, shall receive one lump sum bonus of three hundred dollars, regardless of whether or not he or she served overseas.

2. No person is entitled to a bonus pursuant to this section who has been at any time guilty of any fraud or willful violation or evasion of or resistance to the Selective Service Act, or the rules and regulations of the War or Defense Department in force thereunder, or who has been paid a bonus by any other state for the same service or is incarcerated for conviction of a felony.

3. No right or payment pursuant to sections 42.150 to 42.170 is taxable or subject to the claim of any creditor.

42.155. 1. In the case of the death, after application, of any person who would be entitled to the bonus pursuant to sections 42.150 to 42.170, the same shall be paid to the following persons in the order named: first, the surviving spouse, unless remarried; second, any surviving child, and if there is more than one child surviving then equally among such children; third, any surviving mother or father, who shall share equally if both are surviving.

2. Every person making application for a bonus as provided in sections 42.150 to 42.170 shall set forth in his or her application the names and addresses of all persons who would be entitled to receive the same in the event of the death of the applicant and, if the applicant dies before payment of the bonus, then such application shall inure to the benefit of the person next entitled thereto and payment shall be made to such person upon proof of identity satisfactory to the adjutant general. If all persons designated in sections 42.150 to 42.170 as being entitled to the bonus of any deceased person die before payment thereof, the right of the bonus ceases and terminates. Application for bonus made in behalf of minor children may be made by the duly appointed guardian or curator of such children, or by any person duly appointed by the probate court for the purpose of

making such application.

42.160. 1. The adjutant general of the state of Missouri shall administer sections 42.150 to 42.170, and may adopt all necessary rules and regulations to implement the provisions of sections 42.150 to 42.170. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. The adjutant general shall determine as expeditiously as possible the persons who are entitled to payments pursuant to sections 42.150 to 42.170 and direct the payment in the manner herein prescribed. Applications for payment shall be filed with the adjutant general's office within one year from the effective date of sections 42.150 to 42.170 on forms prescribed and furnished by the office. The adjutant general shall approve all claims that are in order and allowable, and shall cause a voucher for each approved claim to be prepared for the proper amount and transmitted to the commissioner of administration.

2. If the adjutant general, after due consideration, finally disallows the claim of any person for the bonus pursuant to sections 42.150 to 42.170, a statement of the reason for disallowance shall be filed with the application and notice thereof mailed to the applicant at his or her last known address. Within sixty days after mailing this notice, the applicant may have his or her application reconsidered by the governor, attorney general and director of veterans affairs, sitting as a board of review, upon filing with the adjutant general an application for review. Upon the filing of the application for review the adjutant general shall, within thirty days of receipt of such application, deliver to the governor all papers and files in his or her office pertaining to the claim. Upon receipt of such papers and files, the governor shall arrange for a hearing by the board of review and shall cause notice of such hearing to be mailed to the applicant. The applicant shall be entitled to appear at the hearing and be represented by counsel. If the decision of the adjutant general is approved at such hearing, a statement to that effect shall be made and signed by the governor and all the files again returned to the adjutant general. If the board of review overrules the decision of the adjutant general and allows the claim for the bonus, then the decision shall be certified by the governor to the adjutant general and the adjutant general shall allow the claim and transmit a voucher for such claim to the commissioner of administration in the same manner as if the claim had been allowed by the adjutant general in the first instance.

42.165. The "Veterans Service Bonus Fund", is hereby created in the state treasury. Money appropriated to the fund shall be retained therein until the accumulated balance in the fund is sufficient to pay the claims filed and allowed pursuant to section 42.160. As soon as possible after the expiration of one year from the effective date of sections 42.150 to 42.170, and after final action on all duly filed claims has been taken pursuant to section 42.160, the commissioner of administration shall notify the state treasurer of the total amount necessary to pay the vouchers transmitted to his or her office by the adjutant general. When all bonus claims filed and allowed have been paid, the fund shall automatically be terminated. The commissioner of administration shall certify the claims allowed by the adjutant general to the state treasurer for payment and the state treasurer shall pay the claims out of the fund as provided by law. Any balance remaining in the veterans service bonus fund after all claims have been paid shall be transferred to the veterans' commission capital improvements trust fund established in section 313.835, RSMo. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not revert to the credit of the general revenue fund at the end of the biennium.

42.170. Whoever knowingly makes a false statement, oral or written, of any material fact relating to a claim pursuant to the provisions of sections 42.150 to 42.170 is guilty of a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Boucher offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for Senate Bill No. 961, Page 1, In the Title, Lines 2 to 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal section 173.239, RSMo Supp. 1999, and to enact in lieu thereof ten new sections relating to awards for members of the Missouri military, with an emergency clause for a certain section."; and

Further amend said bill, Page 1, Section A, Line 12 of said page, by inserting after all of said line the following:

"42.150. 1. Every person who served on active duty in the United States military service, including the merchant marine serving under veteran status, during World War II, except those excluded pursuant to section 42.155, for a period of at least one hundred eighty-one consecutive days, and who is a legal resident of the state of Missouri on August 28, 2000, and who was honorably separated or discharged from service, or is still in active service in an honorable status, or has been retired, furloughed to a reserve or placed on inactive status, shall receive one lump sum bonus of four hundred dollars, regardless of whether or not he or she served overseas.

2. No right or payment pursuant to sections 42.150 to 42.170 is taxable or subject to the claim of any creditor.

42.155. 1. In the case of the death, after application, of any person who would be entitled to the bonus pursuant to sections 42.150 to 42.170, the same shall be paid to the following persons in the order named: first, the surviving spouse, unless remarried; second, any surviving child, and if there is more than one child surviving then equally among such children; third, any surviving mother or father, who shall share equally if both are surviving.

2. Every person making application for a bonus as provided in sections 42.150 to 42.170 shall set forth in his or her application the names and addresses of all persons who would be entitled to receive the same in the event of the death of the applicant and, if the applicant dies before payment of the bonus, then such application shall inure to the benefit of the person next entitled thereto and payment shall be made to such person upon proof of identity satisfactory to the adjutant general. If all persons designated in sections 42.150 to 42.170 as being entitled to the bonus of any deceased person die before payment thereof, the right of the bonus ceases and terminates. Application for bonus made in behalf of minor children may be made by the duly appointed guardian or curator of such children, or by any person duly appointed by the probate court for the purpose of making such application.

42.160. 1. The adjutant general of the state of Missouri shall administer sections 42.150 to 42.170, and may adopt all necessary rules and regulations to implement the provisions of sections 42.150 to 42.170. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. The adjutant general shall determine as expeditiously as possible the persons who are entitled to payments pursuant to sections 42.150 to 42.170 and direct the payment in the manner herein prescribed. Applications for payment shall be filed with the adjutant general's office within one year from the effective date of sections 42.150 to 42.170 on forms prescribed and furnished by the office. The adjutant general shall approve all claims that are in order and allowable, and shall cause a voucher for each approved claim to be prepared for the proper amount and transmitted to the commissioner of administration.

2. If the adjutant general, after due consideration, finally disallows the claim of any person for the bonus pursuant to sections 42.150 to 42.170, a statement of the reason for disallowance shall be filed with the application and notice thereof mailed to the applicant at his or her last known address. Within sixty days after mailing this notice, the applicant may have his or her application reconsidered by the governor, attorney general and director of veterans affairs, sitting as a board of review, upon filing with the adjutant general an application for review. Upon the filing of the application for review the adjutant general shall, within thirty days of receipt of such application, deliver to the governor all papers and files in his or her office pertaining to the claim. Upon receipt of such papers and files, the governor shall arrange for a hearing by the board of review and shall cause notice of such hearing to be mailed to the applicant. The applicant shall be entitled to appear at the hearing and be represented by counsel. If the decision of the adjutant general is approved at such hearing, a statement to that effect shall be made and signed by the governor and all the files again returned to the adjutant general. If the board of review overrules the decision of the adjutant general and allows the claim for the bonus, then the decision shall be certified by the governor to the adjutant general and the adjutant general shall allow the claim and transmit a voucher for such claim to the commissioner of administration in the same manner as if the claim had been allowed by the adjutant general in the first instance.

42.165. The "Veterans' Service Bonus Fund", is hereby created in the state treasury. Money appropriated to the fund shall be retained therein until the accumulated balance in the fund is sufficient to pay

the claims filed and allowed pursuant to section 42.160. As soon as possible after the expiration of one year from the effective date of sections 42.150 to 42.170, and after final action on all duly filed claims has been taken pursuant to section 42.160, the commissioner of administration shall notify the state treasurer of the total amount necessary to pay the vouchers transmitted to his or her office by the adjutant general. When all bonus claims filed and allowed have been paid, the fund shall automatically be terminated. The commissioner of administration shall certify the claims allowed by the adjutant general to the state treasurer for payment and the state treasurer shall pay the claims out of the fund as provided by law. Any balance remaining in the veterans' service bonus fund after all claims have been paid shall be transferred to the veterans' commission capital improvements trust fund established in section 313.835, RSMo. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not revert to the credit of the general revenue fund at the end of the biennium.

42.170. Whoever knowingly makes a false statement, oral or written, of any material fact relating to a claim pursuant to the provisions of sections 42.150 to 42.170 is guilty of a class A misdemeanor.

42.180. 1. Every veteran who honorably served on active duty in the United States military service at any time beginning December 7, 1941, and ending September 30, 1945, shall be entitled to receive a medallion, medal and a certificate of appreciation pursuant to sections 42.180 to 42.195; provided that:

- (1) Such veteran is a legal resident of this state on August 28, 2000; and
- (2) Such veteran was honorably separated or discharged from military service or is still in active service in an honorable status.

2. The medallion, medal and the certificate shall be awarded regardless of whether or not such veteran served within the United States or in a foreign country. The medallion, medal and the certificate shall be awarded regardless of whether or not such veteran was under eighteen years of age at the time of enlistment. For purposes of sections 42.180 to 42.195, "veteran" means any person defined as a veteran by the United States Department of Veterans' Affairs or its successor agency.

42.185. 1. Except as otherwise provided in sections 42.180 to 42.195, the adjutant general of the state of Missouri shall administer sections 42.180 to 42.195, and may adopt all rules and regulations necessary to administer the provisions of sections 42.180 to 42.195. No rule or portion of a rule promulgated pursuant to sections 42.180 to 42.195 shall become effective unless promulgated pursuant to chapter 536, RSMo.

2. The adjutant general shall determine as expeditiously as possible the persons who are entitled to a medallion, medal and a certificate pursuant to sections 42.180 to 42.195 and distribute the medallions, medals and the certificates as provided in sections 42.180 to 42.195. Applications for the medallion, medal and the certificate shall be filed with the office of the adjutant general at any time after January 1, 2001, and before January 1, 2002, on forms prescribed and furnished by the adjutant general's office. The adjutant general shall approve all applications that are in order, and shall cause a medallion, medal and a certificate to be prepared for each approved veteran in the form created by the veterans' commission pursuant to section 42.190.

3. If any person dies after applying for a medallion or medal and a certificate pursuant to sections 42.180 to 42.195 and such person would have been entitled to the medallion, medal and the certificate, the adjutant general shall give the medallion, medal and the certificate to the person to whom the largest portion of the veteran's estate was given in such veteran's will. If the estate was split evenly among two or more persons, the surviving spouse, the eldest living child or the closest relative by degree of consanguinity, in that order, shall receive the medallion, medal and the certificate. If there was no will, the veteran's intestate survivor shall receive the medallion, medal and the certificate.

4. If the adjutant general disallows any veteran's claim to a medallion, medal and a certificate pursuant to sections 42.180 to 42.195, a statement of the reason for the disallowance shall be filed with the application and notice of this disallowance shall be mailed to the applicant at the applicant's last known address.

42.190. The veterans' commission shall design the form of the medallion, medal, and the certificate and forward the approved designs to the adjutant general for distribution pursuant to sections 42.180 to 42.195. It is the intent of the general assembly to create statewide involvement in the design of these symbols in recognition of this historic endeavor. Therefore, in designing the forms, the veterans' commission may solicit potential designs from elementary and secondary schools, veterans' groups, civic organizations or any other interested party, and may select the best design from among such solicited designs, or may select another design.

42.195. 1. The "World War II Veterans' Recognition Award Fund" is hereby created in the state treasury, and shall consist of all gifts, donations and bequests to the fund. The fund shall be administered by the adjutant general. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the

World War II veterans' recognition award fund shall not be transferred to the credit of the general revenue fund at the end of the biennium. Interest and moneys earned on the fund shall be credited to the fund.

2. Moneys in the fund shall be used solely to promote the solicitation for designs for, aid in the manufacture of and aid in the distribution of the medallion, medal and the certificate.

3. When all allowed medallions, medals and certificates have been distributed, the fund shall automatically be terminated. Any balance remaining in the fund after all such distributions shall be transferred to the veterans' commission capital improvement trust fund created in section 313.835, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Boucher, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 152

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Ballard	Burton	Elliott	Harlan
Holand	McBride	Richardson	Secrest	Stokan

VACANCIES: 001

Representative Gratz offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for Senate Bill No. 961, Page 1, Section A, Line 12 of said page, by inserting after all of said line the following:

"42.500. The Missouri general assembly shall, through appropriations as provided by law, participate in the funding of the National World War II Memorial to be located at a site dedicated on November 11, 1995, on the National Mall in Washington, D.C. in an amount equal to one dollar for each resident of the state of Missouri who served in the Armed Forces of the United States during World War II. Such funds shall be disbursed upon enactment to the World War II Memorial Fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Ransdall offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for Senate Bill No. 961, Page 1, Section A, Line 12 of said page, by inserting after all of said line the following:

"42.500. The Missouri general assembly shall, through appropriations as provided by law, participate in the funding of the National World War II Memorial to be located at a site dedicated on November 11, 1995, on the National Mall in Washington, D.C. in an amount equal to four hundred thirty-eight thousand dollars. Such funds shall be disbursed upon enactment to the World War II Memorial Fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ransdall, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Ross offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for Senate Bill No. 961, Page 4, Section B, Line 14, by inserting after said line the following:

"Section C. Section 8.012, RSMo Supp. 1999, is repealed and one new section enacted in lieu thereof, to be known as section 8.012, to read as follows:

8.012. At [the state capitol] **all state buildings** and upon the grounds thereof, the board of public buildings may accompany the display of the flag of the United States and the flag of this state with the display of the POW/MIA flag, which is designed to commemorate the service and sacrifice of the members of the armed forces of the United States who were prisoners of war or missing in action."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Ross, **House Amendment No. 3** was adopted.

Representative Boucher offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for Senate Bill No. 961, Page 4, Section 173.239, Line 6 of said page, by inserting after all of said line the following:

"Section 1. The general assembly shall appropriate moneys to cover the cost of providing every eligible Missouri World War II veteran of the June 6, 1944, "D-Day" invasion of Europe with a replica of the fiftieth anniversary "Jubilee of Liberty" medal issued by France in 1994."; and

Further amend said bill, Page 4, Section B, Lines 8 and 9 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"swift attention and funding of issues involving those who serve our country and state in the armed forces, section A of this act is"; and

Further amend said bill, Page 4, Section B, Lines 12 and 13 of said page, by deleting the following: "The repeal and reenactment of section 173.239" and inserting in lieu thereof the following: **"section A"**; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Boucher, **House Amendment No. 4** was adopted.

Representative Surface offered **House Amendment No. 5**.

Representative Bonner raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hosmer offered **House Amendment No. 5**.

Representative Dolan raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Ransdall, **HS SB 961, as amended**, was adopted.

On motion of Representative Ransdall, **HS SB 961, as amended**, was read the third time and passed by the following vote:

AYES: 149

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill

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George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	King	Kissell	Klindt	Koller
Kreider	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Auer	Ballard	Berkstresser	Burton	Harlan
Holand	Kennedy	Lakin	McBride	Murphy
Stokan	Troupe	Wright		

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lawson
Leake	Legan	Luetkenhaus	Liese	Long
Loudon	Luetkemeyer	McKenna	Marble	May 108
Mays 50	McClelland	Murray	McLuckie	Merideth
Miller	Monaco	O'Toole	Myers	Naeger
Nordwald	O'Connor	Phillips	Ostmann	Overschmidt
Parker	Patek	Reid	Pouche 30	Pryor
Purgason	Ransdall	Ridgeway	Reinhart	Relford
Reynolds	Richardson	Sallee	Riley	Rizzo
Robirds	Ross	Secrest	Scheve	Schilling
Schwab	Scott		Seigfreid	Selby

Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Ballard	Burton	Holand	Kelly 27	Lakin
Linton	Lograsso	McBride	Murphy	Stokan
Troupe				

VACANCIES: 001

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

HCS SB 858, relating to sunshine law, was taken up by Representative Smith.

Representative Smith offered **HS HCS SB 858**.

Representative Smith offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 5, Section 610.021, Lines 14 through 17, by deleting said lines and inserting in lieu thereof the following:

“such a legal action. **Any vote taken on a question deemed closed pursuant to this subsection shall be by roll call vote as set out in 610.015 and shall be made public as set out above.** Legal work product shall be considered a”; and

Further amend said section, Page 6, Lines 2 through 4, by deleting said lines and inserting in lieu thereof the following:

“estate. **Any vote taken on any question deemed closed pursuant to this subsection shall be by roll call vote as set out in 610.015 and shall be made public within seventy-two hours after execution of the lease, purchase or sale of the real estate;**”; and

Further amend said section, Page 6, Lines 15 through 18, by deleting said lines and inserting in lieu thereof the following:

“decision is made available to the public. **Any vote taken on any question deemed closed pursuant to this subsection shall be by roll call vote as set out in 610.015 and shall be made public within 72 hours of the close of the meeting where such action occurs, as further set out above.** As used in this”.

On motion of Representative Smith, **House Amendment No. 1** was adopted.

Representative Smith offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858 (3809L.10F), Page 3, Section 197.760, Lines 3-12 of said page, by deleting said lines and inserting in lieu thereof the following:

“(2) Discussion and analysis of:

(a) Developing a new health service or a new facility;

(b) Expanding or revising an existing health service or facility; or

(c) Entering into a shared service arrangement or other affiliation agreement.

No final decision to implement paragraph (a), (b), or (c) of this subdivision may be made by the governing body of a public hospital or a related organization until 30 days after a public meeting has been held by the governing body, at which the proposed action has been made public, with notice of said meeting having been given pursuant to section 610.020, RSMo;”; and

Further amend said bill, Page 4, Section 197.760, Line 6 of said page, by deleting the number “(2)” and inserting in lieu thereof the number “(3)”.

Representative Elliott offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1

for

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Section 197.760, by deleting all of said section.

Representative Elliott moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 027

Backer	Bartelsmeyer	Berkstresser	Blunt	Boykins
Dougherty	Elliott	Foster	Gambaro	Hendrickson
Hollingsworth	Kasten	Kelly 27	Linton	Marble
Pouche 30	Richardson	Schilling	Schwab	Scott
Seigfreid	Surface	Troupe	Vogel	Wiggins
Wright	Mr. Speaker			

NOES: 121

Abel	Akin	Alter	Barnett	Barry 100
Bartle	Berkowitz	Black	Boatright	Bonner
Boucher 48	Britt	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Fraser	Froelker	Gaskill	George	Gibbons

Graham 106	Graham 24	Gratz	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hickey	Hilgemann
Hohulin	Hoppe	Hosmer	Howerton	Kelley 47
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	May 108	Mays 50	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Secrest	Selby
Shelton	Shields	Skaggs	Smith	Summers
Thompson	Townley	Treadway	Tudor	Van Zandt
Wagner	Ward	Williams 121	Williams 159	Wilson 25
Wilson 42				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 013

Auer	Ballard	Bennett	Bray 84	Burton
Franklin	Green	Holand	Liese	McBride
Nordwald	Parker	Stokan		

VACANCIES: 001

On motion of Representative Smith, **House Amendment No. 2** was adopted.

Representative Ridgeway offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 4, Section 197.760, Lines 8-9, by deleting the words “two years following the termination of such contract” and inserting in lieu thereof the words “**one year following the termination of such contract**”.

Representative Smith offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 4, Section 197.760, Lines 8-9, by deleting the words “two years following the termination of such contract” and inserting in lieu thereof the words “**eighteen months following the termination of such contract**”.

On motion of Representative Smith, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Relford offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 11, Section 610.027, Line 18, by inserting immediately after the word “[purposely]” the word “**knowingly**”; and

Further amend said section, Line 21, by deleting the word “**twenty-five**” and by inserting in lieu thereof the word “**five**”.

Representative Smith requested a division of the question on **House Amendment No. 4**.

HCS SB 858, with Part I and Part II of House Amendment No. 4, House Amendment No. 4 and HS, as amended, pending, was laid over.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1848**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Bill No. 1848, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1848, as amended;
2. That the House recede from its position on House Bill No. 1848;
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ Joe Treadway
/s/ James Foley
/s/ Joan Barry
/s/ Roy Holand
/s/ Daniel Hegeman

FOR THE SENATE:

/s/ Paula Carter
/s/ Mary Bland
/s/ John E. Scott
/s/ Betty Sims
/s/ Anita Yeckel

On motion of Representative Crump, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ashley Duffel, Daniel Wolfmeier and Emily Morgan.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1544 - Representative Britt
House Resolution No. 1545 - Representative Riley
House Resolution No. 1546
and
House Resolution No. 1547 - Representative Sallee
House Resolution No. 1548 - Representative Howerton
House Resolution No. 1549
and
House Resolution No. 1550 - Representative Berkstresser
House Resolution No. 1551
through
House Resolution No. 1556 - Representative Rizzo
House Resolution No. 1557 - Representative McClelland
House Resolution No. 1558
and
House Resolution No. 1559 - Representative Pryor
House Resolution No. 1560
through
House Resolution No. 1565 - Representative Fitzwater
House Resolution No. 1566 - Representative Boucher

SUPPLEMENTAL CALENDAR

May 8, 2000

SENATE BILLS FOR THIRD READING

HCS SS SCS SB 926, E.C., (Fiscal Review, 5-8-00) - Scheve
SCS SB 685 - Curls

SENATE JOINT RESOLUTION FOR THIRD READING

SJR 50 - Scheve

THIRD READING OF SENATE BILLS

HCS SB 858, with Part I and Part II of House Amendment No. 4, House Amendment No. 4 and HS, as amended, pending, relating to sunshine law, was again taken up by Representative Smith.

Part I of House Amendment No. 4 was taken up by Representative Relford.

House Amendment No. 4

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 11, Section 610.027, Line 18, by inserting immediately after the word “[purposely]” the word “**knowingly**”.

On motion of Representative Relford, **Part I of House Amendment No. 4** was adopted by the following vote:

AYES: 100

Akin	Alter	Auer	Backer	Barnett
Bartelsmeyer	Bartle	Bennett	Black	Boatright
Bonner	Boucher 48	Boykins	Brooks	Champion
Chrismer	Cierpiot	Crump	Dolan	Enz
Evans	Fitzwater	Foley	Ford	Foster
Froelker	Gambaro	Gaskill	Gibbons	Graham 106
Gratz	Griesheimer	Gross	Hagan-Harrell	Hampton
Hanaway	Hartzler 124	Hegeman	Holand	Hoppe
Kasten	Kelley 47	King	Klindt	Koller
Kreider	Lawson	Leake	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	McClelland	Merideth
Miller	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Summers	Surface	Treadway	Tudor
Vogel	Ward	Wiggins	Williams 159	Wright

NOES: 046

Abel	Berkowitz	Blunt	Bray 84	Britt
Campbell	Clayton	Crawford	Curls	Davis 122
Davis 63	Days	Farnen	Franklin	Fraser
George	Graham 24	Gunn	Harlan	Hendrickson
Hickey	Hilgemann	Hosmer	Kelly 27	Kennedy
Kissell	Lakin	Legan	Mays 50	McKenna
McLuckie	Monaco	Murray	O'Connor	Schilling
Selby	Skaggs	Smith	Thompson	Troupe
Van Zandt	Wagner	Williams 121	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 016

Ballard	Barry 100	Berkstresser	Burton	Dougherty
Elliott	Green	Hartzler 123	Hohulin	Hollingsworth
Howerton	McBride	Murphy	Sallee	Stokan
Townley				

VACANCIES: 001

Part II of House Amendment No. 4 was taken up by Representative Relford.

House Amendment No. 4

PART II

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 11, Section 610.027, Line 21, by deleting the word “**twenty-five**” and inserting in lieu thereof the word “**five**”.

Representative Pouche offered **House Substitute Amendment No. 1 for Part II of House Amendment No. 4**.

House Substitute Amendment No. 1 for Part II of House Amendment No. 4 was withdrawn.

Representative Marble offered **House Substitute Amendment No. 1 for Part II of House Amendment No. 4**.

*House Substitute Amendment No. 1
for
Part II
of
House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 11, Section 610.027, Line 21, by deleting the words “**twenty-five thousand**” and inserting in lieu thereof the words “**two thousand five hundred**”.

Representative Marble moved that **House Substitute Amendment No. 1 for Part II of House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 047

Akin	Alter	Barnett	Bartelsmeyer	Boatright
Chrismer	Cierpiot	Dolan	Elliott	Enz
Evans	Fitzwater	Foster	Graham 106	Gross
Hartzler 123	Hartzler 124	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Kreider	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	Myers	Naeger	Patek	Phillips
Pouche 30	Purgason	Reinhart	Robirds	Sallee
Schwab	Secrest	Summers	Surface	Tudor
Vogel	Wiggins			

NOES: 104

Abel	Auer	Backer	Bartle	Bennett
Berkowitz	Black	Blunt	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Campbell
Champion	Clayton	Crawford	Crump	Curts
Davis 122	Davis 63	Days	Farnen	Foley
Ford	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 24	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hegeman	Hendrickson	Hickey
Hilgemann	Hoppe	Hosmer	Kelly 27	Kennedy

Kissell	Koller	Lakin	Lawson	Leake
Legan	Levin	Luetkenhaus	May 108	Mays 50
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Ransdall
Reid	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Ross	Scheve	Schilling
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Ballard	Barry 100	Berkstresser	Burton	Dougherty
Hohulin	Hollingsworth	McBride	Pryor	Stokan
Townley				

VACANCIES: 001

On motion of Representative Relford, **Part II of House Amendment No. 4** was adopted.

Representative Hosmer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 8, Section 610.021, Line 19, by adding after the word “restructuring” the following: “**or retail choice, for natural gas or electric service**”; and

Further amend said bill, Line 19, by deleting the word “[electric]”; and

Further amend said bill, Line 23, by deleting the word “[electric]”; and

Further amend said bill, Line 24, after the word “**areas**” by adding the following: “**for natural gas or electric service**”; and

Further amend said bill, Page 9, Line 2, by deleting the word “electric”; and

Further amend said bill, Page 9, Line 8, by deleting the word “electric”; and

Further amend said bill, Page 9, Line 8, by adding after the word “utility” the following: “**supplying natural gas or electric service**”; and

Further amend Line 9, by deleting all the remainder of said subsection after the word “the” and inserting in lieu thereof the following: “**general assembly does not adopt, on or before December 31, 2002, legislation authorizing electric utility restructuring**”.

On motion of Representative Hosmer, **House Amendment No. 5** was adopted.

Representative Skaggs offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 4, Section 197.760, Line 13, by inserting immediately after said line the following:

“197.765. The meetings and records of a public hospital, as that term is defined in subdivision 2 of subsection 1 of section 197.760, shall not be subject to the open meetings and open records law set forth in Chapter 610, RSMo when:

(1) the public hospital does not receive money from a tax levy imposed by the city, county or hospital district that established the hospital.”; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Smith offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 1, In the Title, Line 5 of said page, by deleting the word “**five**” and inserting in lieu thereof the word “**six**”; and

Further amend said bill, Page 1, Section A, Line 10 of said page, by deleting the word “**five**” and inserting in lieu thereof the word “**six**”, and by inserting after the number “**197.760**,” the number “**197.765**”; and

Further amend said bill, Page 4, Section 197.760, Line 2 of said page, by inserting after the word “**section**” the words “**or section 197.765**”; and

Further amend said bill, Page 4, Section 197.760, Line 13 of said page, by inserting after said line the following:

“197.765. The meetings and records of a public hospital as defined in subdivision 2 of subsection 1 of section 197.760 shall not be construed to be a public record or a public meeting as defined in subdivisions (5) and (6) of section 610.010, RSMo, if:

(1) the public hospital does not receive money from a tax levy imposed by the city, county or hospital district that established the hospital; and

(2) the public hospital waives its right to claim sovereign or governmental tort immunity protection available pursuant to sections 537.600 to 537.615, RSMo.”.

On motion of Representative Smith, **House Substitute Amendment No. 1 for House Amendment No. 6** was adopted.

Representative Kelly (27) offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 8, Section 610.021, Line 9 of said page, by inserting after the word “**law**” the following:

”; except that, notwithstanding the provisions of sections 193.125 and 193.135, RSMo, and sections 453.120 and 453.121, RSMo, to the contrary, the original birth certificate of an adopted adult, as defined in section 453.121, RSMo, shall be an open record”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Backer raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Riback Wilson (25) offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 8, Section 610.021, Line 9 of said page, by inserting after the word "**law**" the following:

"except that, notwithstanding the provisions of sections 193.125 and 193.135, RSMo, and sections 453.120 and 453.121, RSMo, to the contrary, the original birth certificate of an adopted adult, as defined in section 453.121, RSMo, shall be accessible by the adopted adult upon request".

Representative Riback Wilson (25) moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 036

Auer	Berkowitz	Boucher 48	Bray 84	Britt
Brooks	Campbell	Days	Dougherty	Farnen
Franklin	Fraser	Graham 24	Gunn	Hilgemann
Hollingsworth	Kelly 27	Kreider	Lawson	May 108
Mays 50	McKenna	McLuckie	Riley	Scheve
Schilling	Shelton	Skaggs	Smith	Thompson
Troupe	Tudor	Van Zandt	Ward	Williams 121
Wilson 25				

NOES: 115

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkstresser
Black	Blunt	Boatright	Bonner	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Enz
Evans	Fitzwater	Foley	Ford	Foster
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Holand
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kennedy	King	Kissell	Klindt	Koller
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson

Ridgeway	Rizzo	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Summers	Surface	Townley	Treadway
Vogel	Wiggins	Williams 159	Wright	Mr. Speaker

PRESENT: 002

Wagner	Wilson 42
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ABSENT WITH LEAVE: 009

Ballard	Boykins	Burton	Elliott	Hohulin
Lakin	McBride	McClelland	Stokan	

VACANCIES: 001

Representative Kelly (27) moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Pryor offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 13, Section 610.027, Line 13, by adding the following section:

“Section A. All forms of media providing press coverage of the Missouri General Assembly shall be overseen by a seven member public board hereafter referred to as the “Truth Squad”. Violations of the truth as determined by the “Truth Squad” shall be punishable by a \$5,000 fine and loss of office space and parking privileges.”.

Representative Pryor moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 010

Alter	Bartelsmeyer	Berkstresser	Chrismer	Cierpiot
Hoppe	Linton	Miller	Pryor	Wright

NOES: 144

Abel	Akin	Auer	Backer	Barnett
Barry 100	Bartle	Bennett	Berkowitz	Black
Blunt	Boatright	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Champion
Clayton	Crawford	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50

McClelland	McKenna	McLuckie	Merideth	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 001

Crump

ABSENT WITH LEAVE: 007

Ballard	Burton	Elliott	Hohulin	Kasten
McBride	Stokan			

VACANCIES: 001

Representative Backer offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 9, Section 610.021, Lines 12-15, by deleting said lines and inserting in lieu thereof the following:

“(19) Financial records, business and marketing plans and other proprietary information submitted as a part of a sealed bid or sealed proposal.”; and

Further amend said bill, Page 9, Section 610.022, Line 17, by adding before the word “No” the following:

“Laws relating to open meetings and governmental records shall be included with financial disclosure forms provided to candidates and elected officials by the Office of Secretary of State.”.

On motion of Representative Backer, **House Amendment No. 9** was adopted.

Representative McLuckie offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 10, Section 610.022, Line 24 of said page, by inserting after all of said line the following:

"610.026. 1. Except as otherwise provided by law, each public governmental body shall provide access to and, upon request, furnish copies of public records subject to the following:

(1) Fees for copying public records shall not exceed the actual cost of document search and duplication **or twenty cents per page, whichever is less.** Upon request, the governmental body shall certify in writing that the actual cost of document search and duplication is fair, reasonable and does not exceed the actual cost incurred by the public governmental body. Documents may be furnished without charge or at a reduced charge when the public governmental body determines that waiver or reduction of the fee is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the public governmental body and is not primarily in the commercial interest of the requester;

(2) Fees for providing access to public records maintained on computer facilities, recording tapes or discs, videotapes or films, pictures, slides, graphics, illustrations or similar audio or visual items or devices, shall include only the cost of copies, staff time required for making copies and programming, if necessary, and the disk or tape used for the duplication.

2. Payment of such copying fees may be requested prior to the making of copies.

3. Except as otherwise provided by law, each public governmental body of the state shall remit all moneys received by or for it from fees charged pursuant to this section to the director of revenue for deposit to the general revenue fund of the state.

4. Except as otherwise provided by law, each public governmental body of a political subdivision of the state shall remit all moneys received by it or for it from fees charged pursuant to sections 610.010 to 610.028 to the appropriate fiscal officer of such political subdivision for deposit to the governmental body's accounts.

5. The term "tax, license or fees" as used in section 22 of article X of the Constitution of the state of Missouri does not include copying charges and related fees that do not exceed the level necessary to pay or to continue to pay the costs for providing a service, program, or activity which was in existence on November 4, 1980, or which was approved by a vote of the people subsequent to November 4, 1980."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Schilling offered **House Substitute Amendment No. 1 for House Amendment No. 10.**

*House Substitute Amendment No. 1
for
House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 10, Section 610.022, Line 24 of said page, by inserting after all of said line the following:

"610.026. 1. Except as otherwise provided by law, each public governmental body shall provide access to and, upon request, furnish copies of public records subject to the following:

(1) Fees for copying public records shall not exceed the actual cost of document search and duplication[. Upon request, the governmental body shall certify in writing that the actual cost of document search and duplication is fair, reasonable and does not exceed the actual cost incurred by the public governmental body] **or twenty-five cents per page, whichever is less. If the actual cost of search and duplication exceeds twenty-five cents per page, then the governmental body shall certify in writing why the search of the specific documents will require extraordinary effort and then the governmental body may charge the actual cost of search and duplication.** Documents may be furnished without charge or at a reduced charge when the public governmental body determines that waiver or reduction of the fee is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the public governmental body and is not primarily in the commercial interest of the requester;

(2) Fees for providing access to public records maintained on computer facilities, recording tapes or discs, videotapes or films, pictures, slides, graphics, illustrations or similar audio or visual items or devices, shall include only the cost of copies, staff time required for making copies and programming, if necessary, and the disk or tape used for the duplication.

2. Payment of such copying fees may be requested prior to the making of copies.

3. Except as otherwise provided by law, each public governmental body of the state shall remit all moneys received by or for it from fees charged pursuant to this section to the director of revenue for deposit to the general revenue fund of the state.

4. Except as otherwise provided by law, each public governmental body of a political subdivision of the state shall remit all moneys received by it or for it from fees charged pursuant to sections 610.010 to 610.028 to the appropriate fiscal officer of such political subdivision for deposit to the governmental body's accounts.

5. The term "tax, license or fees" as used in section 22 of article X of the Constitution of the state of Missouri does not include copying charges and related fees that do not exceed the level necessary to pay or to continue to pay the costs for providing a service, program, or activity which was in existence on November 4, 1980, or which was approved by a vote of the people subsequent to November 4, 1980."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Schilling, **House Substitute Amendment No. 1 for House Amendment No. 10** was adopted.

Representative Troupe offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 4, Section 197.760, Line 13, by inserting immediately after said line the following:

"217.412. **1.** It shall be the duty of the department of corrections to ensure that an autopsy is performed upon all offenders within the custody of the department who die under violent or suspicious circumstances or apparent suicide to ascertain as nearly as possible the cause of death. The department shall maintain a record of the findings and conclusions of each such autopsy.

2. The department shall provide a copy of such record to any member of the general assembly upon request."

Representative Smith raised a point of order that **House Amendment No. 11** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Troupe, **House Amendment No. 11** was adopted by the following vote:

AYES: 106

Abel	Auer	Backer	Barnett	Barry 100
Bartle	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Cierpiot	Crump	Curls
Davis 63	Days	Dolan	Dougherty	Farnen
Foley	Ford	Franklin	Fraser	Froelker
Gambaro	George	Gibbons	Graham 106	Graham 24
Green	Griesheimer	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	King
Kissell	Klindt	Koller	Kreider	Lawson
Leake	Liese	Luetkemeyer	Luetkenhaus	May 108
Mays 50	McKenna	McLuckie	Merideth	Murray
Myers	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Phillips	Ransdall	Reid	Reinhart
Reynolds	Ridgeway	Riley	Rizzo	Ross
Scheve	Schilling	Secrest	Selby	Shelton
Skaggs	Summers	Thompson	Treadway	Troupe
Tudor	Van Zandt	Vogel	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 044

Akin	Alter	Bartelsmeyer	Berkstresser	Champion
Chrismer	Clayton	Crawford	Davis 122	Enz
Evans	Fitzwater	Foster	Gaskill	Gratz
Gross	Hanaway	Hartzler 123	Legan	Linton
Lograsso	Long	Loudon	Marble	McClelland
Miller	Murphy	Naeger	Ostmann	Patek
Pouche 30	Pryor	Purgason	Relford	Richardson
Robirds	Sallee	Schwab	Seigfreid	Shields
Smith	Surface	Townley	Wagner	

PRESENT: 000

ABSENT WITH LEAVE: 012

Ballard	Bennett	Burton	Elliott	Hohulin
Kennedy	Lakin	Levin	McBride	Monaco
Scott	Stokan			

VACANCIES: 001

Representative Legan offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 4, Section 197.760, Line 13, by inserting immediately after said line the following:

“610.015. Except as provided in section 610.021, rules authorized pursuant to article III of the Missouri Constitution and as otherwise provided by law, all votes shall be recorded, and [if a roll call is taken, as to attribute] **attributed as to** each “yea” and “nay” vote, or abstinence if not voting, to the name of the individual member of the public governmental body. Any votes taken during a closed **or open** meeting shall be taken by roll call, **except votes on procedural or ministerial matters**. All public meetings shall be open to the public and public votes and public records shall be open to the public for inspection and duplication.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Legan, **House Amendment No. 12** was adopted.

Representative Barry offered **House Amendment No. 13.**

Representative Smith raised a point of order that **House Amendment No. 13** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Campbell offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 4, Section 197.760, Line 13, by inserting after said line the following:

"610.010. As used in sections 610.010 to 610.030 and sections 610.100 to 610.150, unless the context otherwise indicates, the following terms mean:

- (1) "Closed meeting", "closed record", or "closed vote", any meeting, record or vote closed to the public;
- (2) "Copying", if requested by a member of the public, copies provided as detailed in section 610.026, if duplication equipment is available;
- (3) "Public business", all matters which relate in any way to the performance of the public governmental body's functions or the conduct of its business;
- (4) "Public governmental body", any legislative, administrative or governmental entity created by the constitution or statutes of this state, by order or ordinance of any political subdivision or district, judicial entities when operating in an administrative capacity, or by executive order, including:
 - (a) Any body, agency, board, bureau, council, commission, committee, board of regents or board of curators or any other governing body of any institution of higher education, including a community college, **and including, but not limited to, the University of Missouri**, which is supported in whole or in part from state funds;
 - (b) Any advisory committee or commission appointed by the governor by executive order;
 - (c) Any department or division of the state, of any political subdivision of the state, of any county or of any municipal government, school district or special purpose district including but not limited to sewer districts, water districts, and other subdistricts of any political subdivision;
 - (d) Any other legislative or administrative governmental deliberative body under the direction of three or more elected or appointed members having rulemaking or quasi-judicial power;
 - (e) Any committee appointed by or at the direction of any of the entities and which is authorized to report to any of the above-named entities, any advisory committee appointed by or at the direction of any of the named entities for the specific purpose of recommending, directly to the public governmental body's governing board or its chief administrative officer, policy or policy revisions or expenditures of public funds including, but not limited to, entities created to advise bi-state taxing districts regarding the expenditure of public funds, or any policy advisory body, policy advisory committee or policy advisory group appointed by a president, chancellor or chief executive officer of any college or university system or individual institution at the direction of the governing body of such institution which is supported in whole or in part with state funds, **including, but not limited to, the University of Missouri**, for the specific purpose of recommending directly to the public governmental body's governing board or the president, chancellor or chief executive officer policy, policy revisions or expenditures of public funds provided, however, the staff of the college or university president, chancellor or chief executive officer shall not constitute such a policy advisory committee. The custodian of the records of any public governmental body shall maintain a list of the policy advisory committees described in this subdivision; and
 - (f) Any quasi-public governmental body. The term "quasi-public governmental body" means any person, corporation or partnership organized or authorized to do business in this state pursuant to the provisions of chapter 352, 353, or 355, RSMo, or unincorporated association which either:
 - a. Has as its primary purpose to enter into contracts with public governmental bodies, or to engage primarily in activities carried out pursuant to an agreement or agreements with public governmental bodies; or
 - b. Performs a public function as evidenced by a statutorily based capacity to confer or otherwise advance, through approval, recommendation or other means, the allocation or issuance of tax credits, tax abatement, public debt, tax-exempt debt, rights of eminent domain, or the contracting of leaseback agreements on structures whose annualized payments commit public tax revenues; or any association that directly accepts the appropriation of money from a public governmental body, but only to the extent that a meeting, record, or vote relates to such appropriation;
- (5) "Public meeting", any meeting of a public governmental body subject to sections 610.010 to 610.030 at which any public business is discussed, decided, or public policy formulated, whether corporeal or by means of communication equipment. The term "public meeting" shall not include an informal gathering of members of a public governmental body for ministerial or social purposes when there is no intent to avoid the purposes of this chapter, but the term shall include a public vote of all or a majority of the members of a public governmental body, by electronic communication or any other means, conducted in lieu of holding a public meeting with the members of the public governmental body gathered at one location in order to conduct public business;
- (6) "Public record", any record, whether written or electronically stored, retained by or of any public governmental body including any report, survey, memorandum, or other document or study prepared and presented to the public governmental body by a consultant or other professional service paid for in whole or in part by public funds; provided, however, that personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the

parents, guardian or other custodian and the student if the student is over the age of eighteen years. The term "public record" shall not include any internal memorandum or letter received or prepared by or on behalf of a member of a public governmental body consisting of advice, opinions and recommendations in connection with the deliberative decision-making process of said body, unless such records are retained by the public governmental body or presented at a public meeting;

(7) "Public vote", any vote cast at any public meeting of any public governmental body."; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Campbell, **House Amendment No. 13** was adopted.

Representative Van Zandt offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 8, Section 610.021, Line 17 of said page, by inserting immediately after the word "**product**" the following:

“, but this exception shall not include any completed audit for any public entity or state supported college or university;”.

Speaker Gaw resumed the Chair.

On motion of Representative Van Zandt, **House Amendment No. 14** was adopted.

Representative Pouche offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 1, Section 166.456, Line 18, by inserting after all of said line the following:

"193.245. It shall be unlawful for any person to permit inspection of, or to disclose information contained in, vital records or to copy or issue a copy of all or part of any such record except as authorized by this law and by regulation or by order of a court of competent jurisdiction or in the following situations:

(1) A listing of persons who are born or who die on a particular date may be disclosed upon request, but no information from the record other than the name and the date of such birth or death shall be disclosed;

(2) The department may authorize the disclosure of information contained in vital records for legitimate research purposes;

(3) To a qualified applicant as provided in section 193.255;

(4) The department shall provide microfilms or electronically created copies of all vital records that are seventy-two years old or older, and microfilms or electronically created copies of indexes to such records to the state archives for study by the public."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Smith raised a point of order that **House Amendment No. 15** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Pouche, **House Amendment No. 15** was adopted.

Representative Froelker offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 11, Section 610.027, Line 22, by deleting the word “**five**” and inserting in lieu thereof the word “**three**”.

Representative Smith raised a point of order that **House Amendment No. 16** is dilatory.

The Chair ruled the point of order not well taken.

Representative Froelker moved that **House Amendment No. 16** be adopted.

Which motion was defeated.

Representative Ridgeway offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Substitute for House Committee Substitute for Senate Bill No. 858, Page 7, Section 610.027, Line 39, by adding after said line the following:

“No public governmental body shall record in its minutes, journal or record of proceedings , any motion that has not been made orally while, the public body is in open session, but the public governmental body need not record said motions while operating in sessions allowed to be closed pursuant to RSMo 610, unless a roll call vote is called thereon.”.

Representative Ridgeway moved that **House Amendment No. 17** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Akin	Alter	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Champion	Chrismer	Cierpiot	Crawford	Dolan
Enz	Evans	Foster	Froelker	Gaskill
Gibbons	Graham 106	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kasten	Kelley 47	King
Klindt	Legan	Levin	Linton	Long
Loudon	Luetkemeyer	Marble	McClelland	Miller
Murphy	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

NOES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls

Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 001

Reid

ABSENT WITH LEAVE: 009

Ballard	Burton	Elliott	Lograsso	McBride
Reynolds	Scott	Stokan	Troupe	

VACANCIES: 001

Representative Graham (24) offered **House Amendment No. 18**.

Representative Smith raised a point of order that **House Amendment No. 18** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Marble offered **House Amendment No. 18**.

House Amendment No. 18 was withdrawn.

On motion of Representative Smith, **HS HCS SB 858, as amended**, was adopted.

On motion of Representative Smith, **HS HCS SB 858, as amended**, was read the third time and passed by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin

Lawson	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Hohulin Sallee

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Burton	Elliott	Lograsso	McBride
Reynolds	Stokan	Troupe		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Fraser, title to the bill was agreed to.

Representative Kelly (27) moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

SCS SB 779, relating to farm machinery inventory repurchase, was placed on the Informal Calendar.

HCS SS SCS SB 577, relating to hazardous waste, was taken up by Representative Ransdall.

Representative Dougherty offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 24, Section 260.569, Line 39, by inserting after all of said line the following:

"701.337. 1. The department shall have the authority to develop a plan for implementing a program that provides financial assistance via loans or grants to owners of dwellings or child-occupied facilities for performing lead abatement projects. In developing the plan, the department shall consult with the department of natural resources and the department of economic development.

2. The program shall accept applications from local entities for implementing at the local level of lead

abatement projects that conform with the requirements of sections 701.300 to 701.338, and any rules promulgated thereunder. For purposes of this section, "local entities" shall include any municipality or county, any local not-for-profit community or housing organization or any community assistance project agency.

3. There is hereby established in the state treasury the "Missouri Lead Abatement Loan Fund". The state treasurer shall receive and deposit to the credit of the fund moneys from appropriations by the general assembly, repayments by applicants of loans made pursuant to this section, including interest on such loans, and gifts, bequests, donations or any other payments made by any public or private entity for use in carrying out the provisions of this section. The state treasurer shall deposit all moneys in the fund in any of the qualified depositories of the state. All such deposits shall be secured in such a manner and shall be made upon such terms and conditions as are now or may hereafter be provided by law relative to state deposits. Interest accrued by the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not revert to the credit of the general revenue fund at the end of the biennium. The fund shall be used solely for the purposes of this section and for no other purpose."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 1** was adopted.

Representative Marble requested a division of the question on **HCS SS SCS SB 577, as amended.**

On motion of Representative Ransdall, **Part I of HCS SS SCS SB 577, as amended,** was adopted.

Representative Ransdall offered **House Amendment No. 1 to Part II of HCS SS SCS SB 577.**

*House Amendment No. 1
to
Part II*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 1, In the title, Line 5, by deleting the following: "**a certain section**" and inserting in lieu thereof the following: "**certain sections**"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "**eleven**" and inserting in lieu thereof the word "**twenty-four**"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the following: "**and 260.569,**" and inserting in lieu thereof the following:

", **260.569, 260.900, 260.905, 260.910, 260.915, 260.920, 260.925, 260.930, 260.935, 260.940, 260.945, 260.950, 260.955 and 260.960,**"; and

Further amend said bill, Page 24, Section B, Lines 1 to 3, by deleting all of said lines; and

Further amend said bill, Pages 26 to 27, Section 260.905, Lines 13 to 42, by deleting all of said lines; and

Further amend said bill, Page 27, Section 260.905, Line 43, by deleting the symbol "**(3)**" and inserting in lieu thereof the symbol "**(1)**"; and

Further amend said bill, Page 27, Section 260.905, Line 46, by deleting the symbol "(4)" and inserting in lieu thereof the symbol "(2)"; and

Further amend said bill, Page 27, Section 260.905, Line 56, by deleting the symbol "(5)" and inserting in lieu thereof the symbol "(3)"; and

Further amend said bill, Page 27, Section 260.905, Line 59, by deleting the symbol "(4)" and inserting in lieu thereof the symbol "(2)"; and

Further amend said bill, Page 28, Section 260.910, Line 4, by adding immediately after the number "**260.960**" the following:

", or operate an active dry cleaning facility in violation of any other applicable federal or state environmental statutes, rules or regulations"; and

Further amend said bill, Page 29, Section 260.925, Line 5, by deleting the words "(4) and (5) of subsection 5" and inserting in lieu thereof the words "(2) and (3) of subsection 2"; and

Further amend said bill, Page 30, Section 260.925, Line 44, by deleting the word "**or**"; and

Further amend said bill, Page 30, Section 260.925, Line 47, by inserting immediately after the word "**list**" the following:

";

(5) For corrective action at sites with active dry cleaning facilities where the owner or operator is not in compliance with sections 260.900 to 260.960, rules and regulations adopted pursuant to sections 260.900 to 260.960, orders of the director pursuant to sections 260.900 to 260.960, or any other applicable federal or state environmental statutes, rules or regulations; or

(6) For corrective action at sites with abandoned dry cleaning facilities that have been taken out of operation prior to July 1, 2004, and not documented by or reported to the department by July 1, 2004. Any person reporting such a site to the department shall include any available evidence that the site once contained a dry cleaning facility"; and

Further amend said bill, Page 32, Section 260.925, Line 98, by deleting the words "**subsection 3**" and inserting in lieu thereof the words "**subsection 5**"; and

Further amend said bill, Page 32, Section 260.925, Lines 112 to 114, by deleting all of said lines; and

Further amend said bill, Page 34, Section 260.940, Line 6, by deleting the word "**ten**" and inserting in lieu thereof the word "**eight**"; and

Further amend said bill, Page 37, Section C, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"Section B. Sections 260.900, 260.905, 260.910, 260.915, 260.920, 260.925, 260.930, 260.935, 260.940, 260.945, 260.950, 260.955 and 260.960 of this act shall expire on August 28, 2007."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Marble offered **House Substitute Amendment No. 1 for House Amendment No. 1 to Part II of HCS SS SCS SB 577.**

*House Substitute Amendment No. 1
for
House Amendment No. 1
to
Part II*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Pages 24 to 37, Sections 260.900 to 260.960, by deleting all of said sections and inserting in lieu thereof the following:

“Section 260.900. By January 1, 2002, the department of natural resources shall submit to the General Assembly a report identifying abandoned dry cleaning sites in the state. To the extent practicable and using readily available information, the report shall also include for abandoned sites:

- (1) An assessment of potential contamination;**
- (2) Identification of parties that are potentially responsible for any possible contamination;**
- (3) An estimate of the costs of completing remediation work;**
- (4) An estimate of the proportion of such costs that are likely to be recovered from potentially responsible parties; and**
- (5) An estimate of the remaining remediation costs that are likely to be borne by the state.”; and**

Further amend said bill, Page 37, Section C, by deleting all of said section; and

Further amend the title and enacting clauses accordingly.

Representative Marble moved that **House Substitute Amendment No. 1 for House Amendment No. 1 to Part II of HCS SS SCS SB 577** be adopted.

Which motion was defeated by the following vote:

AYES: 059

Akin	Alter	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Blunt	Boatright	Champion
Chrismer	Cierpiot	Crawford	Enz	Foster
Froelker	Gaskill	Graham 106	Graham 24	Gratz
Griesheimer	Gross	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Lawson	Levin
Linton	Luetkemeyer	Marble	Miller	Murphy
Myers	Nordwald	Ostmann	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Ridgeway	Sallee
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

NOES: 095

Abel	Auer	Backer	Barry 100	Berkowitz
Black	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Evans	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambaro	George
Gibbons	Green	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Leake	Legan
Liese	Loudon	Luetkenhaus	May 108	Mays 50
McClelland	McKenna	McLuckie	Merideth	Monaco
Murray	Naeger	O'Connor	O'Toole	Overschmidt
Parker	Patek	Ransdall	Reid	Relford
Richardson	Riley	Rizzo	Robirds	Ross

Scheve	Schilling	Schwab	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Burton	Elliott	Lograsso	Long
McBride	Reynolds	Stokan		

VACANCIES: 001

Representative Griesheimer offered **House Substitute Amendment No. 2 for House Amendment No. 1 to Part II of HCS SS SCS SB 577.**

*House Substitute Amendment No. 2
for
House Amendment No. 1
to
Part II*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Pages 26 to 27, Section 260.905, Lines 13 to 42, by deleting all of said lines; and

Further amend said bill, Page 27, Section 260.905, Line 43, by deleting the symbol “(3)” and inserting in lieu thereof the symbol “(1)”; and

Further amend said bill, Page 27, Section 260.905, Line 46, by deleting the symbol “(4)” and inserting in lieu thereof the symbol “(2)”; and

Further amend said bill, Page 27, Section 260.905, Line 56, by deleting the symbol “(5)” and inserting in lieu thereof the symbol “(3)”; and

Further amend said bill, Page 27, Section 260.905, Line 59, by deleting the symbol “(4)” and inserting in lieu thereof the symbol “(2)”; and

Further amend said bill, Page 29, Section 260.925, Line 5, by deleting the words “(4) and (5) of subsection 5” and inserting in lieu thereof the words “(2) and (3) of subsection 2”; and

Further amend said bill, Page 32, Section 260.925, Line 98, by deleting the words “subsection 3” and inserting in lieu thereof the words “subsection 5”; and

Further amend said bill, Page 32, Section 260.925, Line 114, by inserting immediately after all of said line the following:

“12. Any other provision of law notwithstanding, the department may, upon appropriation, use moneys from the hazardous waste remedial fund created in section 260.480 to address contamination resulting from releases of dry cleaning solvents as provided in sections 260.900 to 260.960 in an amount not to exceed one hundred thousand dollars per year from January 1, 2003, to December 31, 2004.” ; and

Further amend said bill, Page 33, Section 260.935, Line 4, by deleting the words “Five hundred” and inserting in lieu thereof the words “Two hundred fifty”; and

Further amend said bill, Page 33, Section 260.935, Line 7, by deleting the words “**One thousand**” and inserting in lieu thereof the words “**Five hundred**”; and

Further amend said bill, Page 33, Section 260.935, Line 12, by deleting the words “**Fifteen hundred**” and inserting in lieu thereof the words “**Seven hundred fifty**”; and

Further amend said bill, Page 34, Section 260.940, Line 6, by deleting the word “**ten**” and inserting in lieu thereof the word “**five**”.

Representative Griesheimer moved that **House Substitute Amendment No. 2 for House Amendment No. 1 to Part II of HCS SS SCS SB 577** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Akin	Alter	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Champion	Chrismer	Cierpiot	Crawford	Enz
Foster	Froelker	Gaskill	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kelley 47	King	Kissell
Klindt	Lawson	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	Miller
Myers	Naeger	Nordwald	Overschmidt	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Ridgeway	Robirds	Sallee	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

NOES: 087

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Evans
Farnen	Fitzwater	Foley	Ford	Fraser
Gambaro	George	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kasten	Kelly 27	Kennedy
Koller	Kreider	Lakin	Leake	Legan
Liese	Luetkenhaus	May 108	Mays 50	McClelland
McKenna	McLuckie	Merideth	Monaco	Murphy
Murray	O'Connor	O'Toole	Ostmann	Parker
Patek	Ransdall	Relford	Richardson	Riley
Rizzo	Ross	Scheve	Schilling	Schwab
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 007

Ballard	Burton	Elliott	Franklin	McBride
Reynolds	Stokan			

VACANCIES: 001

On motion of Representative Ransdall, **House Amendment No. 1 to Part II of HCS SS SCS SB 577** was adopted.

Representative Schilling offered **House Amendment No. 2 to Part II of HCS SS SCS SB 577**.

Representative Marble raised a point of order that **House Amendment No. 2 to Part II of HCS SS SCS SB 577** amends previously amended material.

The Chair ruled the point of order well taken.

On motion of Representative Ransdall, **Part II of HCS SS SCS SB 577, as amended**, was adopted.

On motion of Representative Ransdall, **HCS SS SCS SB 577, as amended**, was read the third time and passed by the following vote:

AYES: 112

Abel	Auer	Backer	Barnett	Barry 100
Bartle	Bennett	Berkowitz	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Green	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hegeman	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	Kissell	Klindt
Koller	Kreider	Lakin	Leake	Legan
Liese	Linton	Loudon	Luetkenhaus	May 108
Mays 50	McClelland	McKenna	McLuckie	Merideth
Monaco	Murphy	Murray	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Pouche 30	Ransdall	Reid	Relford	Richardson
Riley	Rizzo	Ross	Scheve	Schilling
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Thompson	Treadway
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 042

Akin	Alter	Bartelsmeyer	Berkstresser	Black
Boatright	Chrismer	Cierpiot	Crawford	Enz
Froelker	Graham 106	Graham 24	Gratz	Griesheimer
Gross	Hartzler 123	Hartzler 124	Hendrickson	Hickey
Hohulin	Kasten	Lawson	Levin	Lograsso
Long	Luetkemeyer	Marble	Miller	Myers
Nordwald	Phillips	Pryor	Purgason	Reinhart
Ridgeway	Robirds	Sallee	Scott	Summers
Surface	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Burton	Elliott	King	McBride
Reynolds	Stokan	Troupe		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Boykins, title to the bill was agreed to.

Representative McKenna moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

HCS SB 741, relating to water pollution control, was taken up by Representative Backer.

Representative Summers offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 741, Pages 1 to 3, Section 247.030, Lines 1 to 70, by deleting all of said section; and

Further amend said bill, Pages 3 and 4, Section 247.050, Lines 1 to 42, by deleting all of said section; and

Further amend said bill, Pages 5 and 6, Section 393.705, Lines 1 to 35, by deleting all of said section; and

Further amend said bill, Pages 6 to 9, Section 393.715, Lines 1 to 88, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Summers, **House Amendment No. 1** was adopted.

Representative Williams (159) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 741, Page 1, In the title, Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 247.050, 249.255 and 278.130, RSMo 1994, sections 247.030, 249.422, 393.705 and 393.715, RSMo Supp. 1999, section 278.080, RSMo Supp. 1999, as enacted by senate bill no. 3 of the first regular session of the eighty-eighth general assembly, and section 278.080, RSMo Supp. 1999, as enacted by senate bill no. 65 of the first regular session of the eighty-eighth general assembly, relating to water pollution control, and to enact in lieu thereof twelve new sections relating to the same subject, with an emergency clause for a certain section."; and

Further amend said bill, Page 9, Section 644.576, Line 5, by inserting after all of said line the following:

"Section B. Section 278.130, RSMo 1994, and section 278.080, RSMo Supp. 1999, as enacted by senate bill no. 3 of the first regular session of the eighty-eighth general assembly, and section 278.080, RSMo Supp. 1999, as enacted by senate bill no. 65 of the first regular session of the eighty-eighth general assembly, are repealed and three new sections enacted in lieu thereof, to be known as sections 278.080, 278.130 and 278.135, to read as follows:

278.080. 1. There is hereby established "The State Soil and Water Districts Commission" to administer for this state the soil and water conservation districts provided for by sections 278.060 to 278.300. The state soil and water districts commission shall formulate policies and general programs for the saving of Missouri soil and water by the soil and water conservation districts, and shall give consideration to the districts' needs based on their character; it shall receive and allocate or otherwise expend for the use or benefit of the soil and water conservation districts any funds appropriated by the general assembly for the use or benefit of such districts, including a soil and water conservation cost-share program; it shall receive and properly convey to the soil and water conservation districts any other form of aid extended to such districts by any other agency of this state, except that any money or other form of aid raised or provided within a soil and water district for the use or benefit of that soil and water district shall be received and administered by the governing body of that soil and water district; it shall exercise other authority conferred upon it and perform other duties assigned to it by sections 278.060 to 278.300; and shall be the administrative agency to represent this state in these and all other matters arising from the provisions of sections 278.060 to 278.300.

2. The state soil and water districts commission shall be composed of four ex officio members and six farmer members. The six farmer members shall be appointed by the governor of Missouri with the advice and consent of the senate. Three of the farmer members shall reside in the portion of this state which is north of the Missouri River and three of the farmer members shall reside in the portion of this state which is south of the Missouri River. The membership shall be geographically dispersed with no more than one of the farmer members appointed from a state senatorial district. Not more than four of the farmer members shall be from the same political party. The ex officio members shall be the director of the department of natural resources, the director of the department of agriculture, the director of the department of conservation, and the dean of the college of agriculture of the University of Missouri. Each of the six farmer members shall be holding legal title to a farm, and shall be earning at least the principal part of the member's livelihood from a farm, all at the time of appointment to the commission. The farmer members shall each be appointed for a period of three years. All members of the commission serving as of the effective date of this act may continue to serve the unexpired portion of the member's current term. There is no limitation on the number of terms that any of the farmer members appointed by the governor may serve. If any farmer member vacates his or her term for any reason prior to the expiration of such term, the governor may appoint a farmer member to serve for the remainder of the unexpired term. Each member of the commission shall continue to serve until the member's successor has been duly appointed and qualified.

3. The state soil and water districts commission may call upon the attorney general of the state for such legal services as it may require.

4. At its first meeting in each calendar year, the state soil and water districts commission shall select from its current members a chairman and a vice chairman. The ex officio members shall not have the power to vote on any matter before the commission. A quorum shall consist of four farmer members. For the determination of any matter within the commission's authority, at a meeting comprised of four farmer members, a concurrence of three shall be required. No business of the commission shall be executed in absence of a quorum. Each farmer member of the soil and water commission shall be entitled to expenses, including travel expenses, necessarily incurred in the discharge of his or her duties as a member of this commission. The state soil and water districts commission shall provide for the execution of surety bonds for all of its employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all its proceedings and of all its resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of all its accounts of receipts and disbursements.

5. In addition to the authority and duty herein assigned to the state soil and water districts commission, it shall have the following authority and duty:

(1) To encourage the formation of soil and water conservation districts in areas where their establishment seems necessary and their administration seems feasible;

(2) To formulate and fix the rules and procedures for fair and impartial referendums on the establishing or disestablishment of soil and water districts and for fair and impartial selection of soil and water district supervisors;

(3) To receive petitions for the establishing of soil and water conservation districts as provided in section 278.100; to determine the validity of these petitions; to conduct hearings upon the subject of these petitions; to determine whether the establishment of a soil and water district as petitioned would be effective in the saving of soil and water within the proposed area, and whether a soil and water district if established could be feasibly administered; and, upon reaching a favorable conclusion on these matters, to call for a referendum on the establishing of the soil and water district as petitioned;

(4) To advise any soil and water conservation district in developing its program for saving the soil and water in order that such district may become eligible for any form of aid from state or federal sources;

(5) Subject to district allocations by the commission and other resources, to provide training, programs and other assistance to soil and water conservation districts to identify programs that respond to the character of the districts' needs;

(6) To obtain or accept the cooperation and financial, technical or material assistance of the United States or any of its agencies, and of this state or any of its agencies, for the work of such soil and water districts;

(7) To enter into agreements with the United States or any of its agencies on policies and general programs for the saving of Missouri soil and water by the extension of federal aid to any soil and water conservation district; to advise any soil and water conservation district; to advise any soil and water conservation district on the amount or kind of federal aid needed for the effective saving of soil and water in that district; to determine within the limits of available funds or other resources the amount or kind of state aid to be used for saving of soil and water in any soil and water conservation district; and to determine the withholding of state aid of any amount or kind from any soil and water conservation district that has failed to follow the policies of the state soil and water districts commission in any matter under the provisions of sections 278.060 to 278.300;

(8) To give such other proper assistance as the soil and water commission may judge to be useful to any soil and water district in the saving of soil and water in that district;

(9) To promulgate such rules and regulations as may be necessary to effectively administer a state-funded soil and water conservation cost-share program. Any rule or portion of a rule promulgated under the authority of sections 278.060 to 278.300 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo.

[278.080. 1. There is hereby established "The State Soil and Water Districts Commission" to administer for this state the soil and water conservation districts provided for by sections 278.060 to 278.300. The state soil and water commission shall formulate policies and general programs for the saving of Missouri soil and water by the soil and water conservation districts; it shall receive and allocate or otherwise expend for the use or benefit of the soil and water conservation districts any funds appropriated by the legislature of this state for the use or benefit of such districts, including a soil and water conservation cost-share program; it shall receive and properly convey to the soil and water conservation districts any other form of aid extended to such districts by any other agency of this state, except that any money or other form of aid raised or provided within a soil and water district for the use or benefit of that soil and water district shall be received and administered by the governing body of that soil and water district; it shall exercise other authority conferred upon it and perform other duties assigned to it by sections 278.060 to 278.300; and shall be the administrative agency to represent this state in these and all other matters arising from the provisions of sections 278.060 to 278.300.

2. The state soil and water districts commission shall be composed of three ex officio members and five farmer members, the latter five to be appointed by the governor of Missouri with the advice and consent of the senate. Three of the farmer members shall reside in the portion of this state which is north of the Missouri River and two of the farmer members shall reside in the portion of this state which is south of the Missouri River. Not more than one of the farmer members shall be appointed from a state senatorial district. Not more than three of the farmer members shall be from the same political party. The ex officio members shall be the director of the department of natural resources, the director of the department of agriculture, and the dean of the college of agriculture of the University of Missouri. Each of the five farmer members shall be holding legal title to a farm, and shall be earning at least the principal part of his livelihood from a farm, all at the time of his appointment to the soil and water commission. The farmer members shall each be appointed for a period of three years; except that of the first five appointed one shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years, as designated by the governor at the time of appointment. The first board to be appointed under this subsection shall be appointed no later than ninety days after August 13, 1986. All members of the board serving on August 13, 1986, shall continue to serve until their successors are duly appointed and qualified. There is no limitation on the number of terms which any

of the farmer members appointed by the governor may serve. If any farmer member vacates his term for any reason prior to the expiration of such term, the governor may appoint a farmer member to serve for the remainder of the unexpired term.

3. The state soil and water districts commission may call upon the attorney general of the state for such legal services as it may require.

4. At its first meeting in each calendar year, the state soil and water districts commission shall select from its current members a chairman and a vice chairman. A majority of this commission shall constitute a quorum, but the concurrence of a majority of the whole commission shall be required for the determination of any matter within their duties. Each farmer member of the soil and water commission shall be entitled to expenses, including travel expense, necessarily incurred in the discharge of his duties as a member of this commission. The state soil and water districts commission shall provide for the execution of surety bonds for all of its employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all its proceedings and of all its resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of all its accounts of receipts and disbursements.

5. In addition to the authority and duty herein assigned to the state soil and water districts commission, it shall have the following authority and duty:

(1) To encourage the formation of soil and water conservation districts in areas where their establishment seems necessary and their administration seems feasible;

(2) To formulate and fix the rules and procedures for fair and impartial referendums on the establishing or disestablishment of soil and water districts and for fair and impartial selection of soil and water district supervisors;

(3) To receive petitions for the establishing of soil and water conservation districts as provided in section 278.100; to determine the validity of these petitions; to conduct hearings upon the subject of these petitions; to determine whether the establishment of a soil and water district as petitioned would be effective in the saving of soil and water within the proposed area, and whether a soil and water district if established could be feasibly administered; and, upon reaching a favorable conclusion on these matters, to call for a referendum on the establishing of the soil and water district as petitioned;

(4) To advise any soil and water conservation district in developing its program for saving the soil and water in order that such district may become eligible for any form of aid from state or federal sources;

(5) To obtain or accept the cooperation and financial, technical or material assistance of the United States or any of its agencies, and of this state or any of its agencies, for the work of such soil and water districts;

(6) To enter into agreements with the United States or any of its agencies on policies and general programs for the saving of Missouri soil and water by the extension of federal aid to any soil and water conservation district; to advise any soil and water conservation district; to advise any soil and water conservation district on the amount or kind of federal aid needed for the effective saving of soil and water in that district; to determine within the limits of available funds or other resources the amount or kind of state aid to be used for saving of soil and water in any soil and water conservation district; and to determine the withholding of state aid of any amount or kind from any soil and water conservation district which has failed to follow the policies of the state soil and water districts commission in any matter under the provisions of sections 278.060 to 278.300;

(7) To give such other proper assistance as the soil and water commission may judge to be useful to any soil and water district in the saving of soil and water in that district;

(8) To promulgate such rules and regulations and administrative guidelines as necessary to effectively administer a state-funded soil and water conservation cost-share program. No rule or portion of a rule promulgated under the authority of sections 278.060 to 278.300 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.]

[278.080. 1. There is hereby established "The State Soil and Water Districts Commission" to administer for this state the soil and water conservation districts provided for by sections 278.060 to 278.300. The state soil and water commission shall formulate policies and general programs for the saving of Missouri soil and water by the soil and water conservation districts; it shall receive and allocate or otherwise expend for the use or benefit of the soil and water conservation districts any funds appropriated by the legislature of this state for the use or benefit of such districts, including a soil and water conservation cost-share program; it shall receive and properly convey to the soil and water conservation districts any other form of aid extended to such districts by any other agency of this state, except that any money or other form of aid raised or provided within a soil and water district for the use or benefit of that soil and water district shall be received and administered by the governing body of that soil and water district; it shall exercise other authority conferred upon it and perform other duties assigned to it by sections 278.060 to 278.300; and shall be the

administrative agency to represent this state in these and all other matters arising from the provisions of sections 278.060 to 278.300.

2. The state soil and water districts commission shall be composed of three ex officio members and six farmer members. The six farmer members shall be appointed by the governor of Missouri with the advice and consent of the senate. Three of the farmer members shall reside in the portion of this state which is north of the Missouri River and three of the farmer members shall reside in the portion of this state which is south of the Missouri River. Not more than one of the farmer members shall be appointed from a state senatorial district. Not more than four of the farmer members shall be from the same political party. The ex officio members shall be the director of the department of natural resources, the director of the department of agriculture, and the dean of the college of agriculture of the University of Missouri. Each of the six farmer members shall be holding legal title to a farm, and shall be earning at least the principal part of his livelihood from a farm, all at the time of his appointment to the soil and water commission. The farmer members shall each be appointed for a period of three years; except that of the first five appointed one shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years, as designated by the governor at the time of appointment. The first board to be appointed under this subsection shall be appointed no later than ninety days after August 13, 1986. All members of the board serving on August 13, 1986, shall continue to serve until their successors are duly appointed and qualified. There is no limitation on the number of terms which any of the farmer members appointed by the governor may serve. If any farmer member vacates his term for any reason prior to the expiration of such term, the governor may appoint a farmer member to serve for the remainder of the unexpired term.

3. The state soil and water districts commission may call upon the attorney general of the state for such legal services as it may require.

4. At its first meeting in each calendar year, the state soil and water districts commission shall select from its current members a chairman and a vice chairman. The chairman shall serve in a nonvoting capacity, unless the votes cast by the commission are equally divided, in which case the chairman shall cast the deciding vote. A majority of this commission shall constitute a quorum, but the concurrence of a majority of the whole commission shall be required for the determination of any matter within their duties. Each farmer member of the soil and water commission shall be entitled to expenses, including travel expense, necessarily incurred in the discharge of his duties as a member of this commission. The state soil and water districts commission shall provide for the execution of surety bonds for all of its employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all its proceedings and of all its resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of all its accounts of receipts and disbursements.

5. In addition to the authority and duty herein assigned to the state soil and water districts commission, it shall have the following authority and duty:

(1) To encourage the formation of soil and water conservation districts in areas where their establishment seems necessary and their administration seems feasible;

(2) To formulate and fix the rules and procedures for fair and impartial referendums on the establishing or disestablishment of soil and water districts and for fair and impartial selection of soil and water district supervisors;

(3) To receive petitions for the establishing of soil and water conservation districts as provided in section 278.100; to determine the validity of these petitions; to conduct hearings upon the subject of these petitions; to determine whether the establishment of a soil and water district as petitioned would be effective in the saving of soil and water within the proposed area, and whether a soil and water district if established could be feasibly administered; and, upon reaching a favorable conclusion on these matters, to call for a referendum on the establishing of the soil and water district as petitioned;

(4) To advise any soil and water conservation district in developing its program for saving the soil and water in order that such district may become eligible for any form of aid from state or federal sources;

(5) To obtain or accept the cooperation and financial, technical or material assistance of the United States or any of its agencies, and of this state or any of its agencies, for the work of such soil and water districts;

(6) To enter into agreements with the United States or any of its agencies on policies and general programs for the saving of Missouri soil and water by the extension of federal aid to any soil and water conservation district; to advise any soil and water conservation district; to advise any soil and water conservation district on the amount or kind of federal aid needed for the effective saving of soil and water in that district; to determine within the limits of available funds or other resources the amount or kind of state aid to be used for saving of soil and water in any soil and water conservation district; and to determine the withholding of state aid of any amount or kind from any soil and water conservation district which has failed to follow the policies of the state soil and water districts commission in any matter

under the provisions of sections 278.060 to 278.300;

(7) To give such other proper assistance as the soil and water commission may judge to be useful to any soil and water district in the saving of soil and water in that district;

(8) To promulgate such rules and regulations and administrative guidelines as necessary to effectively administer a state-funded soil and water conservation cost-share program.

6. No rule or portion of a rule promulgated under the authority of this chapter shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided herein, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided herein.

7. Upon filing any proposed rule with the secretary of state the filing agency shall concurrently submit such proposed rule to the committee which may hold hearings upon any proposed rule or portion thereof at any time.

8. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the filing agency may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

9. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

- (1) An absence of statutory authority for the proposed rule;
- (2) An emergency relating to public health, safety or welfare;
- (3) The proposed rule is in conflict with state law;
- (4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based.

10. If the committee disapproves any rule or portion thereof, the filing agency shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

11. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

12. Upon adoption of a rule as provided herein, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV, of the constitution, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037, RSMo. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.]

278.130. 1. The soil and water supervisors of any soil and water district shall not

- (1) Have or exercise the right of eminent domain;
- (2) Incur indebtedness beyond available funds;
- (3) Issue bonds;
- (4) Levy taxes;
- (5) Make or levy benefit assessments or any other kind of assessments;
- (6) Take contributions from that soil and water district by exactions or persuasions;
- (7) Engage in the marketing of farm products or in the buying and selling of farm supplies other than those products or supplies used or needed directly or indirectly in soil and water conservation work, **subject to section 278.135;**

(8) Engage in agricultural research or agricultural extension teaching except under the instruction of the Missouri college of agriculture.

2. They may accept voluntary contributions from any source, if the donations are offered for the sole and exclusive purpose of promoting the saving of soil and water within the soil and water district, and if the soil and water supervisors satisfactorily guarantee to the donors the faithful use of their donations for that purpose.

278.135. 1. Any soil and water conservation district engaged in the marketing or buying and selling of farm products used directly or indirectly in soil conservation shall be required to obtain approval from the state soil and water districts commission to continue such activity if the commission receives written complaints from three or more business entities. Upon request from any person, all soil and water conservation districts shall

provide information on the complaint procedure provided for in this section, including information on how to contact the state soil and water districts commission.

2. The commission shall notify the district upon receiving complaints from three or more business entities pursuant to subsection 1 of this section, and request that the district provide information to the commission on the marketing, buying, and selling activity within sixty days. The commission shall consider information provided by the district and any written comments from concerned citizens and businesses in making its determination. The commission shall grant approval only upon finding that the products being marketed, bought, and sold are:

- (1) Reasonably related to soil and water conservation; and
- (2) Not readily available in the area.

If the commission grants approval to a district, no complaints about the marketing, buying, or selling activities of such district shall be accepted by the commission from any business entity for a period of one year after the date of approval, and no such complaints shall be accepted by the commission from the same business entities that initiated the approval procedure pursuant to this section for a period of three years after the date of approval.

3. The commission shall enact rules to allow districts with a pending approval request, or districts that have had their approval denied, to sell any existing inventory of products within a reasonable time. This subsection shall not be interpreted to allow any district with a pending approval request to restock or replenish its inventory until such district has received approval from the commission.

4. The commission is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

Section C. Because immediate action is necessary for the soil and water districts commission to administer the state soil and water districts, section B of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section B of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Williams (159), **House Amendment No. 2** was adopted.

Representative Relford offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 741, Page 3, Section A, Line 70, by inserting after all of said line the following:

"247.031. 1. Territory included in a district that is not being served by such district may be detached from such district provided that there are no outstanding general obligation or special obligation bonds[, or] **and no contractual obligations of greater than twenty-five thousand dollars for debt that pertains to infrastructure, fixed assets or obligations for the purchase of water.** If any such bonds [are] **or debt is** outstanding, [that] **and** the written consent of the holders [thereof] **of such bonds or the creditors to such debt** is obtained, **then such territory may be detached in spite of the existence of such bonds or debt**, except such consent shall not be required for special obligation bonds if the district has no waterlines or other facilities located within any of the territory detached. Detachment may be made by the filing of a petition with the circuit court in which the district was incorporated. The petition shall contain a description of the tract to be detached and a statement that the detachment is in the best interest of the district or the

inhabitants and property owners of the territory to be detached, together with the facts supporting such allegation. The petition may be submitted by the district acting through its board of directors, in which case the petition shall be signed by a majority of the board of directors of the district. The petition may also be submitted by voters residing in the territory sought to be detached. If there are more than ten voters in such territory, the petition shall be signed by five or more voters residing in the territory; if there are less than ten voters residing in such territory, the petition shall be signed by fifty percent or more of the voters residing in the territory. In the event there are no voters living within such territory proposed to be detached, then the petition may be submitted by owners of more than fifty percent of the land in the territory proposed to be detached, in which case said petition shall be signed by the owners so submitting the petition.

2. Such petition shall be filed in the circuit court having jurisdiction and the court shall set a date for hearing on the proposed detachment and the clerk shall give notice thereof in three consecutive issues of a weekly newspaper in each county in which any portion of the territory proposed to be detached lies, or in lieu thereof, in twenty consecutive issues of a daily newspaper in each county in which any portion of the tract proposed to be detached lies; the last insertion of the notice to be made not less than seven nor more than twenty-one days before the hearing. Such notice shall be substantially as follows:

IN THE CIRCUIT COURT OF
COUNTY, MISSOURI
NOTICE OF THE FILING OF A PETITION FOR
TERRITORIAL DETACHMENT FROM
PUBLIC WATER SUPPLY DISTRICT NO.
OF COUNTY, MISSOURI.

To all voters and landowners of land within the boundaries of the above-described district:

You are hereby notified:

1. That a petition has been filed in this court for the detachment of the following tracts of land from the above-named public water supply district, as provided by law:

(Describe tracts of land).

2. That a hearing on said petition will be held before this court on the day of, [19] **20** ..., at, ...m.

3. Exceptions or objections to the detachment of said tracts from said public water supply district may be made by any voter or landowner of land within the district from which territory is sought to be detached, provided such exceptions or objections are in writing not less than five days prior to the date set for hearing on the petition.

4. The names and addresses of the attorneys for the petitioner are:

.....
Clerk of the Circuit Court of
..... County, Missouri

3. The court, for good cause shown, may continue the case or the hearing thereon from time to time until final disposition thereof.

4. Exceptions or objections to the detachment of such territory may be made by any voter or landowner within the boundaries of the district, including the territory to be detached. The exceptions or objections shall be in writing and shall specify the grounds upon which they are made and shall be filed not later than five days before the date set for hearing the petition. If any such exceptions or objections are filed, the court shall take them into consideration when considering the petition for detachment and the evidence in support of detachment. If the court finds that the detachment will be in the best interest of the district and the inhabitants and landowners of the area to be detached will not be adversely affected or if the court finds that the detachment will be in the best interest of the inhabitants and landowners of the territory to be detached and will not adversely affect the remainder of the district, it shall approve the detachment and grant the petition.

5. If the court approves the detachment, it shall make its order detaching the territory described in the petition from the remainder of the district, or in the event it shall find that only a portion of said territory should be detached, the court shall order such portion detached from the district. The court shall also make any changes in subdistrict boundary lines it deems necessary to meet the requirements of sections 247.010 to 247.220. Any subdistrict line changes shall not become effective until the next annual election of a member of the board of directors.

6. A certified copy of the court's order shall be filed in the office of the recorder and in the office of the county clerk in each county in which any of the territory of the district prior to detachment is located, and in the office of the secretary of state. Costs of the proceeding shall be borne by the petitioner or petitioners.

247.170. 1. Whenever any city owning a waterworks or water supply system extends its corporate limits to

include any part of the area in a public water supply district, and the city and the board of directors of the district are unable to agree upon a service, lease or sale agreement, or are unable to proceed under section 247.160, then upon the expiration of ninety days after the effective date of the extension of the city limits, that part of the area of the district included within the corporate limits of the city may be detached and excluded from the district in the following manner:

(1) A petition to detach and exclude that part of the public water supply district lying within the corporate limits of the city as such limits have been extended, signed by not less than twenty-five voters within the water supply district, shall be filed in the circuit court of the county in which the district was originally organized.

(2) The court, being satisfied as to the sufficiency of the petition, shall call a special election of the voters of the district at which election the proposal to detach and exclude the part of the district lying within the corporate limits of the city shall be submitted to the voters in the entire district for a vote thereon. The election shall be conducted within the district by the election authority.

(3) The ballot shall briefly state the question to be voted on.

(4) In order to approve the detachment and exclusion of any part of the area in a public water supply district, the proposal shall require the approval of not less than a majority of the voters voting thereon.

(5) The election authorities shall thereafter promptly certify the result to the circuit court. The court, acting as a court of equity, shall thereupon without delay enter a decree detaching and excluding the area in question located within the corporate limits of the city from the public water supply district; except that before the decree detaching and excluding the area becomes final or effective, the city shall show to the court that it has assumed and agreed to pay in lump sum or in installments not less than that proportion of the sum of all existing liquidated general obligations and of all unpaid revenue bonds and interest thereon to date, of the water supply district as the assessed valuation of the real and tangible personal property within the area sought to be detached and excluded bears to the assessed valuation of all of the real and tangible personal property within the entire area of the district, according to the official county assessment of property as of December thirty-first of the calendar year next preceding the date of the election, and in addition thereto that the city has assumed and agreed to **assume or pay in a lump sum all contractual obligations of the water district that are greater than twenty-five thousand dollars for debt that pertains to infrastructure, fixed assets or obligations for the purchase of water, and to pay the court costs.**

(6) The decree shall thereupon vest in the city the absolute title, free and clear of all liens or encumbrances of every kind and character, to all tangible real and personal property of the public water supply district located within the part of the district situated within the corporate limits of the city with full power in the city to use and dispose of the tangible real and personal property as it deems best in the public interest.

(7) If the proposal fails to receive the approval of the voters the question may be again presented by another petition and again voted on, but not sooner than six months.

(8) Any and all sums paid out by the city under this section, other than the costs of the election, shall be administered by the circuit court for the benefit of the holders of the then existing and outstanding bonds of the district, and the remainder of such sums, if any, shall be delivered to the district to be expended in the operation, maintenance and improvement of its water distribution system.

2. Upon the effective date of any final order detaching and excluding any part of the area of any public water supply district, or leasing, selling or conveying any of the water mains, plant or equipment therein, the circuit court may, in the public interest, change the boundaries of the public water supply district and again divide or redivide the district into subdistricts for the election of directors in conformity with the provisions of section 247.040, without further petition being filed with the court so to do."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Relford, **House Amendment No. 3** was adopted.

Representative Wiggins offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 741, Page 9, Section 393.715, Line 88, by inserting after all of said line the following:

"640.220. 1. For the purpose of protecting the air, water and land resources of the state, there is hereby created in the state treasury a fund to be known as the "Natural Resources Protection Fund". All funds received from air pollution permit fees, gifts, bequests, donations, or any other moneys so designated shall be paid to the **director of the department of natural resources, transmitted to the** director of revenue and deposited in the state treasury to the credit of an appropriate subaccount of the natural resources protection fund and shall be used for the purposes specified by law. The air pollution permit fee revenues shall be deposited in an appropriate subaccount of the natural resources protection fund and, subject to appropriation by the general assembly, shall be used by the department to carry out the general administration of section 643.075, RSMo. The water pollution permit fee revenues generated through sections 644.052 [and], 644.053, **644.054 and 644.061**, RSMo, shall be paid to the **director of the department of natural resources, transmitted to the** director of the department of revenue and deposited to the credit of the water pollution permit fee subaccount of the natural resources protection fund and, subject to appropriation by the general assembly, shall be used by the department to carry out the administration of sections 644.006 to 644.141, RSMo.

2. Effective July 1, 1991, the provisions of section 33.080, RSMo, to the contrary notwithstanding, any unexpended balance in the subaccounts of the natural resources protection fund that exceeds the preceding biennium's collections shall revert to the general revenue fund of the state at the end of each biennium. All interest earned on the natural resources protection funds shall accrue to appropriate subaccounts.

644.016. When used in sections 644.006 to 644.141 and in standards, rules and regulations promulgated [under authority of] **pursuant to** sections 644.006 to 644.141, the following words and phrases mean:

- (1) **"Commission", the clean water commission of the state of Missouri created in section 644.021;**
- (2) "Conference, conciliation and persuasion", a process of verbal or written communications consisting of meetings, reports, correspondence or telephone conferences between authorized representatives of the department and the alleged violator. The process shall, at a minimum, consist of one offer to meet with the alleged violator tendered by the department. During any such meeting, the department and the alleged violator shall negotiate in good faith to eliminate the alleged violation and shall attempt to agree upon a plan to achieve compliance;
- [(2)] (3) **"Department", the department of natural resources;**
- (4) **"Director", the director of the department of natural resources;**
- (5) "Discharge", the causing or permitting of one or more water contaminants to enter the waters of the state;
- [(3)] (6) "Effluent control regulations", limitations on the discharge of water contaminants;
- (7) **"General permit", a permit written with a standard group of conditions and with applicability intended for a designated category of water contaminant sources that have the same or similar operations, discharges and geographical locations, and that require the same or similar monitoring, and that would be more appropriately controlled pursuant to a general permit rather than pursuant to a site-specific permit;**
- (8) **"Human sewage", human excreta and wastewater, including bath and toilet waste, residential laundry waste, residential kitchen waste, and other similar waste from household or establishment appurtenances;**
- [(4)] (9) "Income" includes retirement benefits, consultant fees, and stock dividends;
- [(5)] (10) "Minor violation", a violation which possesses a small potential to harm the environment or human health or cause pollution, was not knowingly committed, and is not defined by the United States Environmental Protection Agency as other than minor;
- (11) **"Permit by rule", a permit granted by rule, not by a paper certificate, and conditioned by the permit holder's compliance with commission rules;**
- [(6)] (12) "Permit holders or applicants for a permit" shall not include officials or employees who work full time for any department or agency of the state of Missouri;
- [(7)] (13) "Person", any individual, partnership, copartnership, firm, company, public or private corporation, association, joint stock company, trust, estate, political subdivision, or any agency, board, department, or bureau of the state or federal government, or any other legal entity whatever which is recognized by law as the subject of rights and duties;
- [(8)] (14) "Point source", any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged;
- [(9)] (15) "Pollution", such contamination or other alteration of the physical, chemical or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the state as will or is reasonably certain to create a nuisance or render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, industrial, agricultural, recreational, or other legitimate beneficial uses, or to wild animals,

birds, fish or other aquatic life;

[(10)] (16) "Pretreatment regulations", limitations on the introduction of pollutants or water contaminants into publicly owned treatment works or facilities which the commission determines are not susceptible to treatment by such works or facilities or which would interfere with their operation, except that wastes as determined compatible for treatment [under] **pursuant to** any federal water pollution control act or guidelines shall be limited or treated [hereunder] **pursuant to this chapter** only as required by such act or guidelines;

[(11)] (17) "**Residential housing development**", **any land which is divided or proposed to be divided into three or more lots, whether contiguous or not, for the purpose of sale or lease as part of a common promotional plan for residential housing**;

(18) "Sewer system", pipelines or conduits, pumping stations, and force mains, and all other structures, devices, appurtenances and facilities used for collecting or conducting wastes to an ultimate point for treatment or handling;

[(12)] (19) "Significant portion of his **or her** income" shall mean ten percent of gross personal income for a calendar year, except that it shall mean fifty percent of gross personal income for a calendar year if the recipient is over sixty years of age, and is receiving such portion pursuant to retirement, pension, or similar arrangement;

[(13)] (20) "**Site-specific permit**", **a permit written for discharges emitted from a single water contaminant source and containing specific conditions, monitoring requirements and effluent limits to control such discharges**;

(21) "Treatment facilities", any method, process, or equipment which removes, reduces, or renders less obnoxious water contaminants released from any source;

[(14)] (22) "Water contaminant", any particulate matter or solid matter or liquid or any gas or vapor or any combination thereof, or any temperature change which is in or enters any waters of the state either directly or indirectly by surface runoff, by sewer, by subsurface seepage or otherwise, which causes or would cause pollution upon entering waters of the state, or which violates or exceeds any of the standards, regulations or limitations set forth in sections 644.006 to 644.141 or any federal water pollution control act, or is included in the definition of pollutant in such federal act;

[(15)] (23) "Water contaminant source", the point or points of discharge from a single tract of property on which is located any installation, operation or condition which includes any point source defined in sections 644.006 to 644.141 and nonpoint source [under] **pursuant to** any federal water pollution control act, which causes or permits a water contaminant therefrom to enter waters of the state either directly or indirectly;

[(16)] (24) "Water quality standards", specified concentrations and durations of water contaminants which reflect the relationship of the intensity and composition of water contaminants to potential undesirable effects;

[(17)] (25) "Waters of the state", all rivers, streams, lakes and other bodies of surface and subsurface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned, leased or otherwise controlled by a single person or by two or more persons jointly or as tenants in common and includes waters of the United States lying within the state.

644.021. 1. There is hereby created a water contaminant control agency to be known as the "Clean Water Commission of the State of Missouri", whose domicile for the purposes of sections 644.006 to 644.141 shall be deemed to be that of the department of natural resources. The commission shall consist of six members appointed by the governor with the advice and consent of the senate. No more than three of the members shall belong to the same political party. All members shall be representative of the general interest of the public and shall have an interest in and knowledge of conservation and the effects and control of water contaminants. Two such members, but no more than two, shall be knowledgeable concerning the needs of agriculture, industry or mining and interested in protecting these needs in a manner consistent with the purposes of sections 644.006 to 644.141. No member shall receive, or have received during the previous two years, a significant portion of his **or her** income directly or indirectly from permit holders or applicants for a permit [under] **pursuant to** any federal water pollution control act as amended and as applicable to this state. At the first meeting of the commission and at yearly intervals thereafter, the members shall select from among themselves a chairman and a vice chairman.

2. The members' terms of office shall be four years and until their successors are selected and qualified. Provided, however, that the first three members appointed shall serve a term of two years, the next three members appointed shall serve a term of four years, thereafter all members appointed shall serve a term of four years. There is no limitation on the number of terms any appointed member may serve. If a vacancy occurs the governor may appoint a member for the remaining portion of the unexpired term created by the vacancy. The governor may remove any appointed member for cause. The members of the commission shall be reimbursed for travel and other expenses actually and necessarily incurred in the performance of their duties.

3. The commission shall hold at least four regular meetings each year and such additional meetings as the chairman deems desirable at a place and time to be fixed by the chairman. Special meetings may be called by three members of the commission upon delivery of written notice to each member of the commission. Reasonable written notice of all meetings shall be given by the [executive secretary] **director** to all members of the commission. Four members of the commission shall constitute a quorum. All powers and duties conferred specifically upon members of the commission shall be exercised personally by the members and not by alternates or representatives. All actions of the commission shall be taken at meetings open to the public. Any member absent from six consecutive regular commission meetings for any cause whatsoever shall be deemed to have resigned and the vacancy shall be filled immediately in accordance with subsection 1 **of this section**.

[4. The commission shall appoint an executive secretary who shall act as its administrative agent and whose powers shall be limited to those necessary under sections 644.006 to 644.141 or any federal water pollution control act, and he shall be qualified, by education, training, and experience, in technical matters in water contaminant control.]

644.026. 1. The commission shall:

(1) Exercise general supervision of the administration and enforcement of sections 644.006 to 644.141 and all rules and regulations and orders promulgated thereunder;

(2) Develop comprehensive plans and programs for the prevention, control and abatement of new or existing pollution of the waters of the state;

(3) Advise, consult, and cooperate with other agencies of the state, the federal government, other states and interstate agencies, and with affected groups, political subdivisions and industries in furtherance of the purposes of sections 644.006 to 644.141;

(4) Accept gifts, contributions, donations, loans and grants from the federal government and from other sources, public or private, for carrying out any of its functions, which funds shall not be expended for other than the purposes for which provided;

(5) Encourage, participate in, or conduct studies, investigations, and research and demonstrations relating to water pollution and causes, prevention, control and abatement thereof as it may deem advisable and necessary for the discharge of its duties [under] **pursuant to** sections 644.006 to 644.141;

(6) Collect and disseminate information relating to water pollution and the prevention, control and abatement thereof;

(7) After holding public hearings, identify waters of the state and prescribe water quality standards for them, giving due recognition to variations, if any, and the characteristics of different waters of the state which may be deemed by the commission to be relevant insofar as possible [under] **pursuant to** any federal water pollution control act. These shall be reevaluated and modified as required by any federal water pollution control act;

(8) Adopt, amend, promulgate, or repeal after due notice and hearing, rules and regulations to enforce, implement, and effectuate the powers and duties of sections 644.006 to 644.141 and any required of this state by any federal water pollution control act, and as the commission may deem necessary to prevent, control and abate existing or potential pollution;

(9) Issue, modify or revoke orders prohibiting or abating discharges of water contaminants into the waters of the state or adopting other remedial measures to prevent, control or abate pollution;

(10) Administer state and federal grants and loans to municipalities and political subdivisions for the planning and construction of sewage treatment works;

(11) Hold such hearings, issue such notices of hearings and subpoenas requiring the attendance of such witnesses and the production of such evidence, administer such oaths, and take such testimony as the commission deems necessary or as required by any federal water pollution control act. Any of these powers may be exercised on behalf of the commission by any members thereof or a hearing officer designated by it;

(12) Require the prior submission of plans and specifications, or other data including the quantity and types of water contaminants, and inspect the construction of treatment facilities and sewer systems or any part thereof in connection with the issuance of such permits or approval as are required by sections 644.006 to 644.141, **except that manholes and polyvinyl chloride (PVC) pipe used for gravity sewers and with a diameter no greater than twenty-seven inches shall not be required to be tested for leakage;**

(13) Issue, continue in effect, revoke, modify or deny, under such conditions as it may prescribe, to prevent, control or abate pollution or any violations of sections 644.006 to 644.141 or any federal water pollution control act, permits for the discharge of water contaminants into the waters of this state, and for the installation, modification or operation of treatment facilities, sewer systems or any parts thereof. Such permit conditions, in addition to all other requirements of this subdivision, shall ensure compliance with all effluent regulations or limitations, water quality

related effluent limitations, national standards of performance and toxic and pretreatment effluent standards, and all requirements and time schedules thereunder as established by sections 644.006 to 644.141 and any federal water pollution control act; however, no permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works;

(14) **Establish permits by rule. Such permits shall only be available for those facilities or classes of facilities that control potential water contaminants that pose a reduced threat to public health or the environment and that are in compliance with commission water quality standards rules, effluent rules or rules establishing permits by rule. Such permits by rule shall have the same legal standing as other permits issued pursuant to this chapter. Nothing in this section shall prohibit the commission from requiring a site-specific permit or a general permit for individual facilities;**

(15) Require proper maintenance and operation of treatment facilities and sewer systems and proper disposal of residual waste from all such facilities and systems;

[(15)] (16) Exercise all incidental powers necessary to carry out the purposes of sections 644.006 to 644.141, assure that the state of Missouri complies with any federal water pollution control act, retains maximum control thereunder and receives all desired federal grants, aid and benefits;

[(16)] (17) Establish effluent and pretreatment and toxic material control regulations to further the purposes of sections 644.006 to 644.141 and as required to ensure compliance with all effluent limitations, water quality related effluent limitations, national standards of performance and toxic and pretreatment effluent standards, and all requirements and any time schedules thereunder, as established by any federal water pollution control act for point sources in this state, and where necessary to prevent violation of water quality standards of this state;

[(17)] (18) Prohibit all discharges of radiological, chemical, or biological warfare agent or high-level radioactive waste into waters of this state;

[(18)] (19) Require that all publicly owned treatment works or facilities which receive or have received grants or loans from the state or the federal government for construction or improvement make all charges required by sections 644.006 to 644.141 or any federal water pollution control act for use and recovery of capital costs, and the operating authority for such works or facility is hereby authorized to make any such charges;

[(19)] (20) Represent the state of Missouri in all matters pertaining to interstate water pollution including the negotiation of interstate compacts or agreements;

[(20)] (21) Develop such facts and make such investigations as are consistent with the purposes of sections 644.006 to 644.141, and, in connection therewith, to enter or authorize any representative of the commission to enter at all reasonable times and upon reasonable notice in or upon any private or public property for any purpose required by any federal water pollution control act or sections 644.006 to 644.141 for the purpose of developing rules, regulations, limitations, standards, or permit conditions, or inspecting or investigating any records required to be kept by sections 644.006 to 644.141 or any permit issued [hereunder] **pursuant to sections 644.006 to 644.141**, any condition which the commission or [executive secretary] **director** has probable cause to believe to be a water contaminant source or the site of any suspected violation of sections 644.006 to 644.141, regulations, standards, or limitations, or permits issued [hereunder] **pursuant to sections 644.006 to 644.141**. The results of any such investigation shall be reduced to writing, and shall be furnished to the owner or operator of the property. No person shall refuse entry or access, requested for the purposes of inspection [under this provision] **pursuant to this subdivision**, to an authorized representative in carrying out the inspection. A suitably restricted search warrant, upon a showing of probable cause in writing and upon oath, shall be issued by any judge or associate circuit judge having jurisdiction to any representative for the purpose of enabling him **or her** to make such inspection. Information obtained [under] **pursuant to this section** shall be available to the public unless it constitutes trade secrets or confidential information, other than effluent data, of the person from whom it is obtained, except when disclosure is required [under] **pursuant to** any federal water pollution control act;

[(21)] (22) Retain, employ, provide for, and compensate, within appropriations available therefor, such consultants, assistants, deputies, clerks and other employees on a full- or part-time basis as may be necessary to carry out the provisions of sections 644.006 to 644.141 and prescribe the times at which they shall be appointed and their powers and duties;

[(22)] (23) Secure necessary scientific, technical, administrative and operation services, including laboratory facilities, by contract or otherwise, with any educational institution, experiment station, or any board, department, or other agency of any political subdivision of the state or the federal government;

[(23)] (24) Require persons owning or engaged in operations which do or could discharge water contaminants, or introduce water contaminants or pollutants of a quality and quantity to be established by the commission, into any

publicly owned treatment works or facility, to provide and maintain any facilities and conduct any tests and monitoring necessary to establish and maintain records and to file reports containing information relating to measures to prevent, lessen or render any discharge less harmful or relating to rate, period, composition, temperature, and quality and quantity of the effluent, and any other information required by any federal water pollution control act or the [executive secretary hereunder] **director**, and to make them public, except as provided in subdivision [(20)] (21) of this section. The commission shall develop and adopt such procedures for inspection, investigation, testing, sampling, monitoring and entry respecting water contaminant and point sources as may be required for approval of such a program [under] **pursuant to any federal water pollution control act**;

[(24)] (25) Take any action necessary to implement continuing planning processes and areawide waste treatment management as established [under] **pursuant to any federal water pollution control act** or sections 644.006 to 644.141.

2. No rule or portion of a rule promulgated [under the authority of] **pursuant to** this chapter shall become effective unless it has been promulgated pursuant to [the provisions of section 536.024,] **chapter 536, RSMo.**

644.036. 1. No standard, rule or regulation or any amendment or repeal thereof shall be adopted except after a public hearing to be held after thirty days' prior notice by advertisement of the date, time and place of the hearing and opportunity given to the public to be heard. Notice of the hearings and copies of the proposed standard, rule or regulation or any amendment or repeal thereof shall also be given by regular mail, at least thirty days prior to the scheduled date of the hearing, to any person who has registered with the [executive secretary] **director** for the purpose of receiving notice of such public hearings in accordance with the procedures prescribed by the commission at least forty-five days prior to the scheduled date of the hearing. However, this provision shall not preclude necessary changes during this thirty-day period.

2. At the hearing, opportunity to be heard by the commission with respect to the subject thereof shall be afforded any interested person upon written request to the commission, addressed to the [executive secretary] **director**, not later than seven days prior to the hearing, and may be afforded to other persons if convenient. In addition, any interested persons, whether or not heard, may submit, within seven days subsequent to the hearings, a written statement of their views. The commission may solicit the views, in writing, of persons who may be affected by, or interested in, proposed rules and regulations, or standards. Any person heard or represented at the hearing or making written request for notice shall be given written notice of the action of the commission with respect to the subject thereof.

3. Any standard, rule or regulation or amendment or repeal thereof shall not be deemed adopted or in force and effect until it has been approved in writing by at least four members of the commission. A standard, rule or regulation or an amendment or repeal thereof shall not become effective until a certified copy thereof has been filed with the secretary of state as provided in chapter 536, RSMo.

4. Unless prohibited by any federal water pollution control act, any standard, rule or regulation or any amendment or repeal thereof which is adopted by the commission may differ in its terms and provisions as between particular types and conditions of water quality standards or of water contaminants, as between particular classes of water contaminant sources, and as between particular waters of the state.

644.051. 1. It is unlawful for any person:

(1) To cause pollution of any waters of the state or to place or cause or permit to be placed any water contaminant in a location where it is reasonably certain to cause pollution of any waters of the state;

(2) To discharge any water contaminants into any waters of the state which reduce the quality of such waters below the water quality standards established by the commission [if not subject to effluent regulations adopted pursuant to sections 644.006 to 644.141];

(3) To violate any pretreatment and toxic material control regulations, or to discharge any water contaminants into any waters of the state which exceed effluent regulations or permit provisions as established by the commission or required by any federal water pollution control act;

(4) To discharge any radiological, chemical, or biological warfare agent or high-level radioactive waste into the waters of the state.

2. It shall be unlawful for any person to build, erect, alter, replace, operate, use or maintain any water contaminant or point source in this state that is subject to standards, rules or regulations promulgated pursuant to the provisions of sections 644.006 to 644.141 unless such person holds a permit from the commission, subject to such exceptions as the commission may prescribe by rule or regulation. However, no permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works.

3. Every proposed water contaminant or point source which, when constructed or installed or established, will be subject to any federal water pollution control act or sections 644.006 to 644.141 or regulations promulgated pursuant

to the provisions of such act shall make application to the [executive secretary] **director** for a permit at least thirty days prior to the initiation of construction or installation or establishment. Every water contaminant or point source in existence when regulations or sections 644.006 to 644.141 become effective shall make application to the [executive secretary] **director** for a permit within sixty days after the regulations or sections 644.006 to 644.141 become effective, whichever shall be earlier. The [executive secretary] **director** shall promptly investigate each application, which investigation shall include such hearings and notice, and consideration of such comments and recommendations as required by sections 644.006 to 644.141 and any federal water pollution control act. If the [executive secretary] **director** determines that the source meets or will meet the requirements of sections 644.006 to 644.141 and the regulations promulgated pursuant thereto, the [executive secretary] **director** shall issue a permit with such conditions as he or she deems necessary to ensure that the source will meet the requirements of sections 644.006 to 644.141 and any federal water pollution control act as it applies to sources in this state. If the [executive secretary] **director** determines that the source does not meet or will not meet the requirements of either act and the regulations pursuant thereto, the [executive secretary] **director** shall deny the permit pursuant to the applicable act and issue any notices required by sections 644.006 to 644.141 and any federal water pollution control act.

4. Before issuing a permit to build or enlarge a water contaminant or point source or reissuing any permit, the [executive secretary] **director** shall issue such notices, conduct such hearings, and consider such factors, comments and recommendations as required by sections 644.006 to 644.141 or any federal water pollution control act. The [executive secretary] **director** shall determine if any state or any provisions of any federal water pollution control act the state is required to enforce, any state or federal effluent limitations or regulations, water quality-related effluent limitations, national standards of performance, toxic and pretreatment standards, or water quality standards which apply to the source, or any such standards in the vicinity of the source, are being exceeded, and shall determine the impact on such water quality standards from the source. The [executive secretary] **director**, in order to effectuate the purposes of sections 644.006 to 644.141, shall deny a permit if the source will violate any such acts, regulations, limitations or standards or will appreciably affect the water quality standards or the water quality standards are being substantially exceeded, unless the permit is issued with such conditions as to make the source comply with such requirements within an acceptable time schedule.

5. The [executive secretary] **director** shall grant or deny the permit within sixty days after all requirements of the Federal Water Pollution Control Act concerning issuance of permits have been satisfied unless the application does not require any permit pursuant to any federal water pollution control act. The [executive secretary] **director** or the commission may require the applicant to provide and maintain such facilities or to conduct such tests and monitor effluents as necessary to determine the nature, extent, quantity or degree of water contaminant discharged or released from the source, establish and maintain records and make reports regarding such determination.

6. The [executive secretary] **director** shall promptly notify the applicant [or other affected party] in writing of his or her action and if the permit is denied state the reasons therefor. The applicant may appeal to the commission from the denial of a permit or from any condition in any permit by filing notice of appeal with the commission within thirty days of the notice of denial or issuance of the permit. The commission shall set the matter for hearing not less than thirty days after the notice of appeal is filed. In no event shall a permit constitute permission to violate the law or any standard, rule or regulation promulgated pursuant thereto.

7. In any hearing held pursuant to this section the burden of proof is on the applicant for a permit. Any decision of the commission made pursuant to a hearing held pursuant to this section is subject to judicial review as provided in section 644.071.

8. In any event, no permit [hereunder] **issued pursuant to this section** shall be issued if properly objected to by the federal government or any agency authorized to object pursuant to any federal water pollution control act unless the application does not require any permit pursuant to any federal water pollution control act.

9. No manufacturing or processing plant or operating location shall be required to pay more than one operating fee. Operating permits shall be issued for a period not to exceed five years after date of issuance, except that general permits shall be issued for a five-year period, and also except that neither a construction nor an annual permit shall be required for a single residence's waste treatment facilities. [All moneys remaining in the Missouri clean water fund on August 28, 1990, shall be transferred to the water pollution permit fee subaccount of the natural resources protection fund.] Applications for renewal of an operating permit shall be filed at least one hundred eighty days prior to the expiration of the existing permit.

10. Every permit issued to municipal or any publicly owned treatment works or facility shall require the permittee to provide the clean water commission with adequate notice of any substantial new introductions of water contaminants or pollutants into such works or facility from any source for which such notice is required by sections

644.006 to 644.141 or any federal water pollution control act. Such permit shall also require the permittee to notify the clean water commission of any substantial change in volume or character of water contaminants or pollutants being introduced into its treatment works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility and the anticipated impact of such introduction on the quality or quantity of effluent to be released from such works or facility into waters of the state.

11. The [executive secretary] **director** or the commission may require the filing or posting of a bond as a condition for the issuance of permits for construction of temporary or future water treatment facilities in an amount determined by the commission to be sufficient to ensure compliance with all provisions of sections 644.006 to 644.141, and any rules or regulations of the commission and any condition as to such construction in the permit. The bond shall be signed by the applicant as principal, and by a corporate surety licensed to do business in the state of Missouri and approved by the commission. The bond shall remain in effect until the terms and conditions of the permit are met and the provisions of sections 644.006 to 644.141 and rules and regulations promulgated pursuant thereto are complied with.

12. (1) The department shall issue or deny applications for construction and site-specific operating permits received after January 1, 2001, within one hundred eighty days of the department's receipt of an application. For general construction and operating permit applications received after January 1, 2001, that do not require a public participation process, the department shall issue or deny the requested permits within sixty days of the department's receipt of an application.

(2) If the department fails to issue or deny with good cause a construction or operating permit application within the timeframes established in subdivision (1) of this subsection, the department shall refund the full amount of the initial application fee within forty-five days of failure to meet the established timeframe. If the department fails to refund the application fee within forty-five days, the refund amount shall accrue interest at a rate established pursuant to section 32.065, RSMo.

(3) Permit fee disputes may be appealed to the commission within thirty days of the date established in subdivision (2) of this subsection. If the applicant prevails in a permit fee dispute appealed to the commission, the commission may order the director to refund the applicant's permit fee plus interest and reasonable attorney's fees as provided in sections 536.085 and 536.087, RSMo. A refund of the initial application or annual fee does not waive the applicant's responsibility to pay any annual fees due each year following issuance of a permit.

(4) No later than December 31, 2001, the commission shall promulgate regulations defining shorter review time periods than the timeframes established in subdivision (1) of this subsection, when appropriate, for different classes of construction and operating permits. In no case shall commission regulations adopt permit review times that exceed the timeframes established in subdivision (1) of this subsection. The department's failure to comply with the commission's permit review time periods shall result in a refund of said permit fees as set forth in subdivision (2) of this subsection. On a semi-annual basis, the department shall submit to the commission a report which describes the different classes of permits and reports on the number of days it took the department to issue each permit from the date of receipt of the application and show averages for each different class of permits.

(5) During the department's technical review of the application, the department may request the applicant submit supplemental or additional information necessary for adequate permit review. The department's technical review letter shall contain a sufficient description of the type of additional information needed to comply with the application requirements.

(6) Nothing in this subsection shall be interpreted to mean that inaction on a permit application shall be grounds to violate any provisions of sections 644.006 to 644.141 or any rules promulgated pursuant to sections 644.006 to 644.141.

13. The department shall respond to all requests for individual certification under section 401 of the Federal Clean Water Act within the lesser of sixty days or the allowed response period established pursuant to applicable federal regulations without request for an extension period unless such extension is determined by the commission to be necessary to evaluate significant impacts on water quality standards and the commission establishes a timetable for completion of such evaluation in a period of no more than one hundred eighty days.

14. All permit fees generated pursuant to this chapter shall not be used for the development or expansion of total maximum daily loads studies on either the Missouri or Mississippi rivers.

644.052. 1. Persons with operating permits **or permits by rule** issued pursuant to this chapter shall pay [a permit fee as provided in this section. For the purposes of this section "population equivalent" is a measure used in the design and comparison of sewage treatment plants which represents the number of people who could be expected to contribute any specific amount of waste water. A city or publicly owned treatment works or a sewer district shall annually pay a fee as established in subsection 2 of this section but such fee shall be at least one and one-half cents per population equivalent and not more than ten cents per population equivalent; provided, however, that such fee shall not be less than fifteen dollars annually.] **fees pursuant to subsections 2 to 8 and 12 to 13 of this section. Persons with a sewer service connection to public sewer systems owned or operated by a city, public sewer district, public water district or other publicly owned treatment works shall pay a permit fee pursuant to subsections 10 and 11 of this section.**

2. A [city or publicly owned treatment works, a] privately owned treatment works[, or an industry which treats only [domestic] **human** sewage [as defined in section 701.025, RSMo, or a sewer district] shall annually [collect and] pay **a fee based upon the design flow of the facility as follows:**

- (1) [Fifteen] **One hundred** dollars if the design flow is less than five thousand gallons per day;
- (2) [Fifty] **One hundred fifty** dollars if the design flow is equal to or greater than five thousand gallons per day but less than [two hundred fifty] **six** thousand gallons per day;
- (3) [Five hundred dollars if the design flow is equal to or greater than two hundred fifty thousand gallons per day but less than five hundred thousand gallons per day;
- (4) One thousand dollars if the design flow is equal to or greater than five hundred thousand gallons per day but less than seven hundred fifty thousand gallons per day;
- (5) One thousand five hundred dollars if the design flow is equal to or greater than seven hundred fifty thousand gallons per day but less than one million gallons per day;
- (6) Two thousand five hundred dollars if the design flow is equal to or greater than one million gallons per day but less than five million gallons per day; or
- (7) Three thousand dollars if the design flow is equal to or greater than five million gallons per day.] **One hundred seventy-five dollars if the design flow is equal to or greater than six thousand gallons per day but less than seven thousand gallons per day;**
- (4) **Two hundred dollars if the design flow is equal to or greater than seven thousand gallons per day but less than eight thousand gallons per day;**
- (5) **Two hundred twenty-five dollars if the design flow is equal to or greater than eight thousand gallons per day but less than nine thousand gallons per day;**
- (6) **Two hundred fifty dollars if the design flow is equal to or greater than nine thousand gallons per day but less than ten thousand gallons per day;**
- (7) **Three hundred seventy-five dollars if the design flow is equal to or greater than ten thousand gallons per day but less than eleven thousand gallons per day;**
- (8) **Four hundred dollars if the design flow is equal to or greater than eleven thousand gallons per day but less than twelve thousand gallons per day;**
- (9) **Four hundred fifty dollars if the design flow is equal to or greater than twelve thousand gallons per day but less than thirteen thousand gallons per day;**
- (10) **Five hundred dollars if the design flow is equal to or greater than thirteen thousand gallons per day but less than fourteen thousand gallons per day;**
- (11) **Five hundred fifty dollars if the design flow is equal to or greater than fourteen thousand gallons per day but less than fifteen thousand gallons per day;**
- (12) **Six hundred dollars if the design flow is equal to or greater than fifteen thousand gallons per day but less than sixteen thousand gallons per day;**
- (13) **Six hundred fifty dollars if the design flow is equal to or greater than sixteen thousand gallons per day but less than seventeen thousand gallons per day;**
- (14) **Eight hundred dollars if the design flow is equal to or greater than seventeen thousand gallons per day but less than twenty thousand gallons per day;**
- (15) **One thousand dollars if the design flow is equal to or greater than twenty thousand gallons per day but less than twenty-three thousand gallons per day;**
- (16) **Two thousand dollars if the design flow is equal to or greater than twenty-three thousand gallons per day but less than twenty-five thousand gallons per day;**
- (17) **Two thousand five hundred dollars if the design flow is equal to or greater than twenty-five thousand**

gallons per day but less than thirty thousand gallons per day;

(18) Three thousand dollars if the design flow is equal to or greater than thirty thousand gallons per day but less than one million gallons per day; or

(19) Three thousand five hundred dollars if the design flow is equal to or greater than one million gallons per day.

3. [In addition to the fees required in subsection 2 of this section, a city or publicly owned treatment works, a privately owned treatment works or a sewer district which operates an approved pretreatment program shall annually collect and pay:

(1) Three thousand dollars if the combined design flow is less than five million gallons per day; or

(2) Six thousand dollars if the combined design flow is equal to or greater than five million gallons per day.

4.] Persons who produce industrial process wastewater which requires treatment[, identified in 40 CFR 405 through 40 CFR 464,] **and who apply for or possess a site-specific permit** shall annually pay:

(1) Five thousand dollars if the industry is a class IA animal feeding operation as defined by the commission; or

(2) For facilities issued operating permits based upon categorical standards pursuant to the Federal Clean Water Act and regulations implementing such act:

(a) Three thousand five hundred dollars if the design flow is less than one million gallons per day; or

[(2)] (b) Five thousand dollars if the design flow is equal to or greater than one million gallons per day.

4. Persons who apply for or possess a site-specific permit solely for industrial stormwater shall pay an annual fee of:

(1) One thousand three hundred fifty dollars if the design flow is less than one million gallons per day; or

(2) Two thousand three hundred fifty dollars if the design flow is equal to or greater than one million gallons per day.

5. Persons who produce industrial process wastewater who are not included in **subsection 2 or 3** of this section shall annually pay:

(1) One thousand five hundred dollars if the design flow is less than one million gallons per day; or

(2) Two thousand five hundred dollars if the design flow is equal to or greater than one million gallons per day.

6. [The commission shall promulgate rules and regulations which specify treatment works, by category, whose discharge has only a minimal impact. Persons owning such treatment works, including private trout farms or hatcheries, may apply for a general permit. Persons who apply for a general permit which authorizes more than one discharge of the same type within a specific area shall pay a fee of one hundred fifty dollars for each such permit.] **Persons who apply for or possess a general permit shall pay:**

(1) Three hundred dollars for the discharge of stormwater from a land disturbance site;

(2) Fifty dollars annually for the operation of a chemical fertilizer or pesticide facility;

(3) One hundred fifty dollars for the operation of an animal feeding operation or a concentrated animal feeding operation;

(4) One hundred fifty dollars annually for new permits for the discharge of process water or stormwater potentially contaminated by activities not included in subdivisions (1) to (3) of this subsection. Persons paying fees pursuant to this subdivision with existing general permits on August 27, 2000, and persons paying fees pursuant to this subdivision who receive renewed general permits on the same facility after August 27, 2000, shall pay sixty dollars annually.

7. Requests for modifications to state operating permits on entities that charge a service connection fee pursuant to subsection 10 of this section shall be accompanied by a two hundred dollar fee. The department may waive the fee if it is determined that the necessary modification was either initiated by the department or caused by an error made by the department.

8. Requests for state operating permit modifications other than those described in subsection 7 of this section shall be accompanied by a fee equal to twenty-five percent of the annual operating fee assessed for the facility pursuant to this section. The department may waive the fee if it is determined that the necessary modification was either initiated by the department or caused by an error made by the department.

9. Persons requesting water quality certifications in accordance with section 401 of the Federal Clean Water Act shall pay a fee of seventy-five dollars and shall submit the standard application form for a section 404 permit as administered by the U.S. Army Corps of Engineers or similar information required for other federal licenses and permits, except that the fee is waived for water quality certifications issued and accepted

for activities authorized pursuant to a general permit or nationwide permit by the U.S. Army Corps of Engineers.

10. Persons with a direct or indirect sewer service connection to a public sewer system owned or operated by a city, public sewer district, public water district, or other publicly owned treatment works shall pay an annual fee per water service connection as provided in this subsection. Customers served by multiple water service connections shall pay such fee for each water service connection, except that no single facility served by multiple connections shall pay more than a total of seven hundred dollars per year. The fees provided for in this subsection shall be collected by the agency billing such customer for sewer service and remitted to the department. The fees may be collected in monthly, quarterly or annual increments, and shall be remitted to the department no less frequently than annually. The fees collected shall not exceed the amounts specified in this subsection and, except as provided in subsection 11 of this section, shall be collected at the specified amounts unless adjusted by the commission in rules. The annual fees shall not exceed:

(1) For sewer systems that serve more than thirty-five thousand customers, forty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(2) For sewer systems that serve equal to or less than thirty-five thousand but more than twenty thousand customers, fifty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(3) For sewer systems that serve equal to or less than twenty thousand but more than seven thousand customers, sixty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(4) For sewer systems that serve equal to or less than seven thousand but more than one thousand customers, seventy cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(5) For sewer systems that serve equal to or less than one thousand customers, eighty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(6) Three dollars for commercial or industrial customers not served by a public water system as defined in chapter 640, RSMo;

(7) Three dollars per water service connection for all other customers with water service connections of less than or equal to one inch excluding taps for fire suppression and irrigation systems;

(8) Ten dollars per water service connection for all other customers with water service connections of more than one inch but less than or equal to four inches, excluding taps for fire suppression and irrigation systems;

(9) Twenty-five dollars per water service connection for all other customers with water service connections of more than four inches, excluding taps for fire suppression and irrigation systems.

11. Customers served by any district formed pursuant to the provisions of section 30(a) of article VI of the Missouri Constitution shall pay the fees set forth in subsection 10 of this section according to the following schedule:

(1) From August 28, 2000, through September 30, 2001, customers of any such district shall pay fifty percent of such fees; and

(2) Beginning October 1, 2001, customers of any such districts shall pay one hundred percent of such fees.

12. Persons submitting a notice of intent to operate pursuant to a permit by rule shall pay a filing fee of twenty-five dollars.

13. For any general permit issued to a state agency for highway construction pursuant to subdivision (1) of subsection 6 of this section, a single fee may cover all sites subject to the permit.

644.053. 1. Persons applying for a construction permit issued pursuant to this chapter shall pay a construction permit fee as [provided herein] follows:

(1) [Five hundred dollars] **Seven hundred fifty** for a [sewage] **wastewater** treatment plant if the design flow is less than five hundred thousand gallons per day;

(2) [One thousand five] **Two thousand two** hundred dollars for a [sewage] **wastewater** treatment plant if the design flow is equal to or more than five hundred thousand gallons per day;

(3) [Fifty] **Seventy-five** dollars for a sewer extension [if the extension is] **of** less than one thousand lineal feet of pipe;

(4) [Two] **Three** hundred dollars [for a construction permit] for a sewer extension equal to or more than one thousand lineal feet of pipe; or

(5) [Two] **Three** hundred dollars for each sewage pumping station.

2. The applicant shall pay the highest appropriate fee [under] **pursuant to** subdivisions (1) to (5) of subsection 1 of this section, but shall pay only [under] **pursuant to** one subdivision regardless of the nature of the planned construction.

3. The commission may establish, by rule, general permits for construction and establish fees for such permits that shall not exceed the construction permit fees provided for in subsection 1 of this section.

4. Persons who apply for or possess an operator's certificate for treatment of wastewater or for concentrated animal feeding operation waste management shall pay fees of:

(1) **Forty-five dollars for an application for a certificate of competency, including an initial exam and the issuance of an initial certificate of competency;**

(2) **Twenty dollars for an application for subsequent exams of the same certification type and level if the applicant fails the initial exam;**

(3) **Forty-five dollars for an application for a renewal of a certificate of competency;**

(4) **Forty dollars for an application for reciprocity with other certification programs; and**

(5) **Twenty-five dollars for the issuance of a reciprocated certificate of competency.**

644.054. 1. Fees imposed in sections 644.052 and 644.053 shall, **except for those fees imposed pursuant to subsection 4 and subsections 6 to 13 of section 644.052**, become effective October 1, 1990, and shall expire December 31, [2000] **2007. Fees imposed pursuant to subsection 4 and subsections 6 to 13 of section 644.052 shall become effective August 28, 2000, and shall expire on December 31, 2007.** The clean water commission shall promulgate rules and regulations on the procedures for billing and collection. All sums received through the payment of fees shall be placed in the state treasury and credited to an appropriate subaccount of the natural resources protection fund created in section 640.220, RSMo. Moneys in the subaccount shall be expended, upon appropriation, solely for the administration of sections 644.006 to 644.141. Fees collected **pursuant to subsection 10 of section 644.052** by a city, **a public sewer district, a public water district or other** publicly owned treatment works [or a sewer district in sections 644.052 and 644.053] are state fees. [These fees may be passed through to persons who utilize the treatment works or sewer district and may be enumerated separately from all other charges.] **Five percent of the fee revenue collected shall be retained by the city, public sewer district, public water district or other publicly owned treatment works as reimbursement of billing and collection expenses.**

2. The commission may grant a variance pursuant to section 644.061 to reduce fees collected pursuant to section 644.052 for facilities that adopt systems or technologies that reduce the discharge of water contaminants substantially below the levels required by commission rules.

3. Fees imposed in subsections 2 to 6 of section 644.052 shall be due in accordance with the following schedule after August 27, 2000:

(1) **For new or renewed permits, fees shall be due on the date of application and on each anniversary date of permit issuance thereafter until the permit is terminated;**

(2) **For permits in effect on August 27, 2000, fees shall be due on each anniversary date of permit issuance until the permit is terminated;**

(3) **For general permits issued pursuant to subdivisions (2) and (4) of subsection 6 of section 644.052 and in effect on August 27, 2000, the permittee will be credited thirty dollars on each anniversary date of permit issuance that falls between August 27, 2000, and the date the permit expires.**

644.056. 1. The [executive secretary] **director** shall cause investigations to be made upon the request of the commission or upon receipt of information concerning alleged violations of sections 644.006 to 644.141 or any standard, limitation, order, rule or regulation promulgated pursuant thereto, or any term or condition of any permit and may cause to be made any other investigations he **or she** deems advisable. Violations shall include obtaining a permit [hereunder] by misrepresentation or failure to fully disclose all relevant facts.

2. If, in the opinion of the [executive secretary] **director**, the investigation discloses that a violation does exist, [he] **the director** may, by conference, conciliation or persuasion, endeavor to eliminate the violation.

3. In case of the failure by conference, conciliation or persuasion to correct or remedy any claimed violation, or as required to immediately and effectively halt or eliminate any imminent or substantial endangerments to the health or welfare of persons resulting from the discharge of pollutants, the [executive secretary] **director** shall order abatement or file an abatement complaint with the commission if no permit has been issued, or in addition may file a complaint to revoke a permit if such permit has been issued. When the [executive secretary] **director** files a complaint, the

commission shall order a hearing. The [executive secretary] **director** shall cause to have issued and served upon the person complained against a written notice of the order or complaint, together with a copy of the order or complaint, which shall specify the provision of sections 644.006 to 644.141 or the standard, rule, limitation, or regulation adopted pursuant thereto, or the condition of the permit of which the person is alleged to be in violation, and a statement of the manner in which and the extent to which the person is alleged to violate sections 644.006 to 644.141 or the standard, rule, limitation, or regulation, or condition of the permit. In any case involving a complaint, the commission shall require the person complained against to answer the charges of the formal complaint at a hearing before the commission at a time not less than thirty days after the date of notice. Service may be made upon any person within or without the state by registered mail, return receipt requested. Any person against whom the [executive secretary] **director** issues an order may appeal the order to the commission within thirty days and the appeal shall stay the enforcement of the order until final determination by the commission. The commission shall set appeals for a hearing at a time not less than thirty days after the date of the request. The commission may sustain, reverse, or modify the [executive secretary's] **director's** order or may make such other orders as the commission deems appropriate under the circumstances. If any order issued by the [executive secretary] **director** is not appealed within the time [herein] provided **in this section**, the order becomes final and may be enforced as provided in section 644.076.

4. Permits [issued hereunder] may be terminated or modified if obtained in violation of sections 644.006 to 644.141 or by misrepresentation or failing to fully disclose all relevant facts, or when required to prevent violations of any provision of sections 644.006 to 644.141, or to protect the waters of this state, when such action is required by a change in conditions or the existence of a condition which requires either a temporary or permanent reduction or elimination of the authorized discharge, subject to the right of appeal contained in this section.

5. When the commission schedules a matter for hearing, the petitioner on appeal or the respondent to a formal complaint may appear at the hearing in person or by counsel, and may make oral argument, offer testimony and evidence, and cross-examine witnesses.

6. After due consideration of the record, or upon default in appearance of the respondent on the return day specified in the notice given as provided in subsection 3, the commission shall issue and enter such final order, or make such final determination as it deems appropriate under the circumstances, and it shall immediately notify the petitioner or respondent thereof in writing by certified or registered mail.

644.061. 1. Unless prohibited by any federal water pollution control act, or if an application does not require a permit [under] **pursuant to** any federal water pollution control act, the commission may grant individual variances beyond the limitations prescribed in sections 644.006 to 644.141 whenever it is found, upon presentation of adequate proof, that compliance with any provisions of sections 644.006 to 644.141 or rule or regulation, standard, requirement, limitation, or order of the commission or [executive secretary] **director** adopted pursuant thereto will result in an arbitrary and unreasonable taking of property or in the practical closing and elimination of any lawful business, occupation or activity, in either case, without sufficient corresponding benefit or advantage to the people; but no variance shall be granted where the effect of a variance will permit the continuance of a condition which may unreasonably cause or contribute to adverse health effects upon humans or upon fish or other aquatic life or upon game or other wildlife, and any variance so granted shall not be so construed as to relieve the person who receives the variance from any liability imposed by other law for the commission or maintenance of a nuisance.

2. In determining under what conditions and to what extent a variance may be granted, the commission shall exercise a wide discretion in weighing the equities involved and the advantages and disadvantages to the applicant and to those affected by water contaminants emitted by the applicant.

3. Variances shall be granted for such period of time and under such terms and conditions as shall be specified by the commission in its order. The variance may be extended by affirmative action of the commission. In no event shall the variance be granted for a period of time greater than is reasonably necessary for complying with sections 644.006 to 644.141 or any standard, rule or regulation promulgated [hereunder] **pursuant to sections 644.006 to 644.141**.

4. Any person seeking a variance shall file a petition for variance with the [executive secretary] **director**. There shall be a [twenty-five] **two hundred fifty** dollar filing fee payable to the state of Missouri with each [application before a variance is granted] **petition for variance**. The [executive secretary] **director** shall promptly investigate the application and make a recommendation to the commission within sixty days after the application is received as to whether the variance should be granted or denied. The [executive secretary] **director** shall promptly notify the petitioner of his **or her** action and at the same time shall send notice to those persons registered with the [executive secretary] **director** pursuant to section 644.036 who reside in the county where the water contaminant or point source is located.

5. If the recommendation of the [executive secretary] **director** is to deny the variance, a hearing as provided in

section 644.066 shall be held by the commission if requested by the petitioner within thirty days of the date of notice of the recommendation of the [executive secretary] **director**. If the recommendation of the [executive secretary] **director** is for the granting of the variance, the commission may grant the variance without a hearing, or, if not, shall set the matter for a hearing. If the commission grants the variance without a hearing the matter shall be passed upon at a public meeting no sooner than thirty days from the date of notice of the recommendation of the [executive secretary] **director**, except that upon petition, filed within thirty days from the date of notice, of any person aggrieved by the granting of the variance, a hearing shall be held and such petitioner shall become a party to the proceeding. In any hearing [under] **pursuant to** this section the burden of proof shall be on the person petitioning for a variance.

6. The commission may require the filing of a bond as a condition for the issuance of a variance in an amount determined by the commission to be sufficient to insure compliance with the terms and conditions of the variance. The bond shall be signed by the applicant as principal, and by a corporate surety licensed to do business in the state of Missouri and approved by the commission. The bond shall remain in effect until the terms and conditions of the variance are met and the provisions of sections 644.006 to 644.141 and rules and regulations promulgated pursuant thereto are complied with.

7. Upon failure to comply with the terms and conditions of any variance as specified by the commission, the variance may be revoked or modified or the bond may be revoked, or both, by the commission after a hearing held upon not less than thirty days' written notice. Notice shall be served upon all persons who will be subjected to greater restrictions if the variance is revoked or modified, or who have filed with the [executive secretary] **director** a written request for notification.

8. Any decision of the commission made pursuant to a hearing held [under] **pursuant to** this section is subject to judicial review as provided in section 644.071.

644.066. 1. At any public hearing all testimony taken before the commission shall be under oath and recorded stenographically. The transcript so recorded shall be made available to any member of the public or to the respondent or party to a hearing on a complaint, or any party to a hearing on a petition for variance, or appealing any order or determination of the [executive secretary] **director** upon payment of the usual charge therefor.

2. In any such hearing, any member of the commission or the hearing officer shall issue in the name of the commission notice of hearing and subpoenas. Subpoenas shall be issued and enforced as provided in section 536.077, RSMo. The rules of discovery that apply in any civil case apply to hearings held by the commission.

3. (1) All hearings to promulgate standards, rules, limitations, and regulations and to establish areas of the state shall be held before at least four members of the commission;

(2) All other hearings may be held before one commission member designated by the commission chairman or by a hearing officer who shall be a member of the Missouri bar and shall be appointed by the commission chairman. The hearing officer or commission member shall preside at the hearing and hear all evidence and rule on the admissibility of evidence. The hearing officer or commission member shall make recommended findings of fact and may make recommended conclusions of law to the commission;

(3) All final orders or determinations or other final actions by the commission shall be approved in writing by at least four members of the commission. Any commission member approving in writing any final order or determination or other final action, who did not attend the hearing, shall do so only after reviewing all exhibits and reading the entire transcript.

644.071. 1. All final orders or determinations of the commission or the [executive secretary] **director** made pursuant to the provisions of sections 644.006 to 644.141 are subject to judicial review pursuant to the provisions of chapter 536, RSMo. No judicial review shall be available, however, unless and until all administrative remedies are exhausted.

2. In any suit filed pursuant to section 536.050, RSMo, concerning the validity of the commission's standards, rules and regulations, the court shall review the record made before the commission to determine the validity and reasonableness of such standards, rules, limitations, and regulations and may hear such additional evidence as it deems necessary.

644.076. 1. It is unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141, or any standard, rule or regulation promulgated by the commission. In the event the commission or [its executive secretary] **the director** determines that any provision of sections 644.006 to 644.141 or standard, rules, limitations or regulations promulgated pursuant thereto, or permits issued by, or any final abatement order, other order, or determination made by the commission or the [executive secretary] **director**, or any filing requirement [under] **pursuant to** sections 644.006 to 644.141 or any other provision which this state is required to enforce [under] **pursuant to** any federal water pollution

control act, is being, was, or is in imminent danger of being violated, the commission or [executive secretary] **director** may cause to have instituted a civil action in any court of competent jurisdiction for the injunctive relief to prevent any such violation or further violation or for the assessment of a penalty not to exceed ten thousand dollars per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. A civil monetary penalty [under] **pursuant to** this section shall not be assessed for a violation where an administrative penalty was assessed [under] **pursuant to** section 644.079. The commission or the [executive secretary] **director** may request either the attorney general or a prosecuting attorney to bring any action authorized in this section in the name of the people of the state of Missouri. Suit may be brought in any county where the defendant's principal place of business is located or where the water contaminant or point source is located or was located at the time the violation occurred. Any offer of settlement to resolve a civil penalty [under] **pursuant to** this section shall be in writing, shall state that an action for imposition of a civil penalty may be initiated by the attorney general or a prosecuting attorney representing the department [under authority of] **pursuant to** this section, and shall identify any dollar amount as an offer of settlement which shall be negotiated in good faith through conference, conciliation and persuasion.

2. Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained [under] **pursuant to** sections 644.006 to 644.141 or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained [under] **pursuant to** sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months, or by both.

3. Any person who willfully or negligently commits any violation set forth [under] **pursuant to** subsection 1 of this section shall, upon conviction, be punished by a fine of not less than twenty-five hundred dollars nor more than twenty-five thousand dollars per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision [hereunder] **of this section** by any person shall be punished by a fine of not more than fifty thousand dollars per day of violation, or by imprisonment for not more than two years, or both.

4. The liabilities which shall be imposed pursuant to any provision of sections 644.006 to 644.141 upon persons violating the provisions of sections 644.006 to 644.141 or any standard, rule, limitation, or regulation adopted pursuant thereto shall not be imposed due to any violation caused by an act of God, war, strike, riot, or other catastrophe.

644.101. The state may provide assistance, as funds are available, pursuant to this chapter, to any county, municipality, public water district, public sewer district, or any combination of the same, **or any entity eligible pursuant to the Safe Drinking Water Act, as amended, or the Clean Water Act, as amended**, to assist them in the construction of public drinking water and water pollution control projects as authorized by the clean water commission. The state may provide assistance pursuant to this chapter, including but not limited to the purchase of water and/or wastewater revenue or general obligation bonds, bonds of any county, instrumentality of the state, state entity, municipality, public sewer district, public water district, community water system, nonprofit noncommunity water system or any combination of the same, **or any entity eligible pursuant to the Safe Drinking Water Act, as amended, or the Clean Water Act, as amended**.

644.122. 1. There is hereby created in the state treasury for use of the department a fund to be known as "The Water and Wastewater Loan Fund". All moneys received by the department for activities authorized in subdivisions (1), (3), (4), (5), and (6) of subsection 2 of this section shall be deposited in the fund for the use of the commission. Moneys received for the drinking water state revolving fund shall be used for the purposes identified in the federal Safe Drinking Water Act as amended and shall be accounted for separately.

2. The commission is hereby authorized to expend or use moneys deposited in the water and wastewater loan fund, upon appropriation by the general assembly to the department, for one or more of the following purposes as the same relate to the construction of public drinking water and water pollution control projects as authorized by the commission pursuant to this chapter:

(1) To make loans to any county, instrumentality of the state, municipality, public water district, public sewer district, community water system, nonprofit noncommunity water system or any combination of the same, **or any entity eligible pursuant to the Safe Drinking Water Act, as amended, or the Clean Water Act, as amended**;

(2) For the costs of administering programs and projects financed, in part, by the water and wastewater loan fund;

(3) As a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds or notes issued by the state or any agency or instrumentality thereof;

(4) To buy or refinance the debt obligation of any county, instrumentality of the state, municipality, public water district, public sewer district, community water system, nonprofit noncommunity water system, or any combination of

the same;

(5) To guarantee, or purchase insurance for, notes or obligations of any county, instrumentality of the state, municipality, public water district, public sewer district, community water system, nonprofit noncommunity water system or any combination of the same, where such action would improve credit market access or reduce interest rates;

(6) To provide loan guarantees for similar revolving funds established by any county, instrumentality of the state, municipality, public water district, public sewer district, or any combination of the same; and

(7) To earn interest on the water and wastewater loan fund accounts.

3. The unexpended balance in the water and wastewater loan fund at the end of the biennium shall not be transferred to the ordinary revenue fund of the state treasury and accordingly shall be exempt from the provisions of section 33.080, RSMo, relating to transfer of funds to the ordinary revenue funds of the state by the state treasurer.

4. For purposes of this section, public drinking water and water pollution control projects shall include, but not be limited to, the planning, design, and construction of water or wastewater facilities, or both, and the planning, design, and construction of nonpoint source control facilities identified in a nonpoint source control plan prepared by the department of natural resources."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wiggins, **House Amendment No. 4** was adopted.

Representative Kreider offered **House Amendment No. 5**.

Representative Backer raised a point of order that **House Amendment No. 5** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Griesheimer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 741, Page 9, Section 644.576, Line 5, by inserting after all of said line the following:

"Section 1. 1. Any person who resides within the boundary of a public water supply district and who is unable to receive services from such district due to the district's failure to provide such services may elect to be removed from such district by sending a written and signed request for removal via certified mail to the district. The district shall, upon receipt of such request, remove such resident from the district. If the resident elects to be removed from the district, the resident shall compensate the district for any costs incurred by the district for such resident's removal from the district and for any attempts by the district to provide service to such resident prior to the certified date that the district received the request for removal.

2. This section shall only apply to persons living in, and water supply districts located in, any county of the first classification with a population of more than eighty thousand and less than eighty-three thousand inhabitants."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Griesheimer, **House Amendment No. 5** was adopted.

Representative Pouche offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 741, Page 5, Section 249.255, Line 10, by inserting after the word “**customer**” the following: “, **if water service charges are outstanding**,”.

Representative Pouche moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 003

Levin	Murphy	Pouche 30
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NOES: 138

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Leake	Legan	Liese
Linton	Lograsso	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McClelland	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Patek	Phillips	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Richardson	Riley
Rizzo	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Tudor	Vogel
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 021

Ballard	Brooks	Burton	Elliott	Froelker
Gunn	Hickey	Lawson	Long	McBride
McKenna	O'Connor	Parker	Reynolds	Ridgeway
Robirds	Sallee	Stokan	Troupe	Van Zandt
Wagner				

VACANCIES: 001

Representative Howerton offered **House Amendment No. 7**.

Representative Shields raised a point of order that **House Amendment No. 7** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Richardson offered **House Amendment No. 7**.

Representative Backer raised a point of order that **House Amendment No. 7** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Backer, **HCS SB 741, as amended**, was adopted.

On motion of Representative Backer, **HCS SB 741, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Lograsso	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McClelland	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Tudor	Vogel	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Ballard	Burton	Elliott	Hickey	Kissell
Long	McBride	McKenna	O'Connor	Reynolds
Robards	Stokan	Troupe	Van Zandt	Wagner

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Ransdall, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Britt moved that motion lay on the table.

The latter motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SB 961, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

BILL CARRYING REQUEST MESSAGE

HS SB 961, as amended, relating to National Guard scholarships, was taken up by Representative Ransdall.

Representative Ransdall moved that the House refuse to recede from its position on **HS SB 961, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS SB 961: Representatives Ransdall, Boucher, Ward, Ross and Dolan

THIRD READING OF SENATE BILL

Speaker Pro Tem Kreider resumed the Chair.

HCS SB 922, relating to retirement benefits, was taken up by Representative Hagan-Harrell.

Speaker Gaw resumed the Chair.

Representative Shields offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 922, Page 81, Section 476.690, Line 18, by removing subsection "3" of said bill.

Representative Shields moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative O'Toole offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Lines 9 and 10, by deleting from said lines the following: "**104.110, 104.371, 104.374,**"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**eighty-seven**"; and

Further amend said bill, Page 1, Section A, Line 8, by deleting from said line the following: "**104.110, 104.371, 104.374,**"; and

Further amend said bill, Page 2, Section A, Line 9, by deleting the word "**ninety**" and inserting in lieu thereof the word "**eighty-seven**"; and

Further amend said bill, Page 2, Section A, Line 17, by deleting from said line the following: "**104.110, 104.371, 104.374,**"; and

Further amend said bill, Pages 62 through 66, Sections 104.110, 104.371 and 104.374, by deleting all of said sections; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative O'Toole, **House Amendment No. 2** was adopted.

Representative Kissell offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 922, Page 2, Section 50.1175, Line 11, by adding after all of said line the following:

"67.210. Any political subdivision which provides or pays for health insurance benefits for its officers and employees may also provide or pay for all or part of such benefits, as may be determined by the governing body of the political subdivision, for the dependents of its officers and employees, and for retired employees **and their dependents and the dependents of deceased employees** of the political subdivision."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Kissell, **House Amendment No. 3** was adopted.

Representative Hagan-Harrell offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 10, by inserting immediately after "**160.420**," the following: "**169.070**,"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 1, Section A, Line 8, by inserting immediately after "**160.420**," the following: "**169.070**,"; and

Further amend said bill, Page 2, Section A, Line 9, by striking the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 2, Section A, Line 17, by inserting immediately after "**160.420**," the following: "**169.070**,"; and

Further amend said bill, Page 67, Section 160.420, Line 32, by inserting immediately after said line the following:

"169.070. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more or whose creditable service is thirty years or more regardless of age, may be the sum of the following items, not to exceed one hundred percent of the member's final average salary:

- (1) Two and five-tenths percent of the member's final average salary for each year of membership service;
- (2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years.

In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection, a member may elect to receive a retirement allowance of:

(3) Between July 1, 1998, and July 1, 2000, two and four-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-nine years or more but less than thirty years, and the member has not attained age fifty-five;

(4) Between July 1, 1998, and July 1, 2000, two and thirty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained age fifty-five;

(5) Between July 1, 1998, and July 1, 2000, two and three-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-seven years or more but less than twenty-eight years, and the member has not attained age fifty-five;

(6) Between July 1, 1998, and July 1, 2000, two and twenty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-six years or more but less than twenty-seven years, and the member has not attained age fifty-five;

(7) Between July 1, 1998, and July 1, 2000, two and two-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-five years or more but less than twenty-six years, and the member has not attained age fifty-five.

2. In lieu of the retirement allowance provided in subsection 1 of this section, a member whose age is sixty years or more on September 28, 1975, may elect to have the member's retirement allowance calculated as a sum of the following items:

(1) Sixty cents plus one and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years;

(3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for each month of attained age in excess of sixty years but not in excess of age sixty-five.

3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section, collectively called

"option 1", a member whose creditable service is twenty-five years or more or who has attained the age of fifty-five with five or more years of creditable service may elect in the member's application for retirement to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the retired member elected option 1;

OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the reserve for the remainder of such one hundred twenty monthly payments shall be paid to the estate of the last person to receive a monthly allowance;

OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the reserve of the remainder of such sixty monthly payments shall be paid to the estate of the last person to receive a monthly allowance.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated to receive the survivorship payments dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after acquiring twenty-five or more years of creditable service or after attaining the age of fifty-five years and acquiring five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's primary beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship benefits under option 2 or a payment of the accumulated contributions of the member. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the member's primary beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either a payment of the member's accumulated contributions, or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in

subsection 1 or 2 of this section.

4. If the total of the retirement allowance paid to an individual before the death of the individual is less than the accumulated contributions at the time of retirement, the difference shall be paid to the beneficiary of the individual, or to the estate of the individual, if there be no beneficiary. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section had been elected, and the beneficiary dies after receiving the optional benefit, and if the total retirement allowance paid to the retired individual and the beneficiary of the retired individual is less than the total of the contributions, the difference shall be paid to the estate of the beneficiary unless the retired individual designates a different recipient with the board at or after retirement.

5. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the death of the member shall be paid to the beneficiary of the member or to the estate of the member, if there be no beneficiary; except that, no such payment shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the estate of the beneficiary.

6. If a member ceases to be a public school employee as herein defined and certifies to the board of trustees that such cessation is permanent, or if the membership of the person is otherwise terminated, the member shall be paid the member's accumulated contributions with interest.

7. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a member ceases to be a public school employee after acquiring five or more years of membership service in Missouri, the member may at the option of the member leave the member's contributions with the retirement system and claim a retirement allowance any time after reaching the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.010 to 169.141 on the basis of the member's age, years of service, and the provisions of the law in effect at the time the member requests the member's retirement to become effective.

8. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty, or fifty percent of one-twelfth of the annual salary rate used in determining the member's contributions during the last school year for which the member received a year of creditable service immediately prior to the member's disability, whichever is greater, except that no such allowance shall exceed the retirement allowance to which the member would have been entitled upon retirement at age sixty if the member had continued to teach from the date of disability until age sixty at the same salary rate.

9. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied by the factor of two-thirds for any member of the system for whom federal Old Age and Survivors Insurance tax is paid from state or local tax funds on account of the member's employment entitling the person to membership in the system. The monetary benefits for a member who elected not to exercise an option to pay into the system a retroactive contribution of four percent on that part of the member's annual salary rate which was in excess of four thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each year of employment in a position covered by this system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of this section as it appears in RSMo 1969, shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the benefits provided in this section as it appears in RSMo 1959; except that if the member has at least thirty years of creditable service at retirement the member shall receive the benefit payable pursuant to that section as though the member's age were sixty-five at retirement;

(4) For years of membership service after July 1, 1961, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

10. The monetary benefits for each other member for whom federal Old Age and Survivors Insurance tax is or was paid at any time from state or local funds on account of the member's employment entitling the member to membership in the system shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

11. Any retired member of the system who was retired prior to September 1, 1972, or beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement allowance of the member of two percent for each year, or major fraction of more than one-half of a year, which the retired member has been retired prior to July 1, 1975. This increased amount shall be payable commencing with January, 1976, and shall thereafter be referred to as the member's retirement allowance. The increase provided for in this subsection shall not affect the retired member's eligibility for compensation provided for in section 169.580 or 169.585, nor shall the amount being paid pursuant to these sections be reduced because of any increases provided for in this section.

12. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases two percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by two percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board; with the provision that the increases provided for in this subsection shall not become effective until the fourth January first following the member's retirement or January 1, 1977, whichever later occurs. Commencing with January 1, 1992, if the board of trustees determines that the cost of living has increased five percent or more in the preceding fiscal year, the board shall increase the retirement allowances by five percent. The total of the increases granted to a retired member or the beneficiary after December 31, 1976, may not exceed seventy-five percent of the retirement allowance established at retirement or as previously adjusted by other subsections. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

13. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 12 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; except that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1976.

14. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

15. Notwithstanding any other provision of law, any person retired prior to September 28, 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 28, 1983, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have his or her retirement allowance increased to the amount he or she would have been receiving had the option not been elected, actuarially adjusted to recognize any excessive benefits which would have been paid to him or her up to the time of application.

16. Benefits paid pursuant to the provisions of the public school retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code[.] **except as provided pursuant to this subsection. Notwithstanding any other law to the contrary, the board of trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United States Code. Such plan shall be created solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.**

17. Notwithstanding any other provision of law to the contrary, any person retired before, on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive an amount based on the person's years of service so that the total amount received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts specified in subdivisions (1) to (4) of this subsection. In determining the minimum amount to be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance. In determining the minimum amount to be received, beginning September 1, 1996, the amounts in subdivisions (1) and (2) of this subsection shall be adjusted in accordance with the

actuarial adjustment, if any, that was applied to the person's retirement allowance due to election of an optional form of retirement having a continued monthly payment after the person's death. Notwithstanding any other provision of law to the contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of such a person, shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based on the person's years of service less than the following amounts:

- (1) Thirty or more years of service, one thousand two hundred dollars;
- (2) At least twenty-five years but less than thirty years, one thousand dollars;
- (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- (4) At least fifteen years but less than twenty years, six hundred dollars.

18. Notwithstanding any other provisions of law to the contrary, any person retired prior to May 26, 1994, and any designated beneficiary of such a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response to such requests. Beginning September 1, 1996, as compensation for such service, the member shall have added, pursuant to this subsection, to the member's monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased member shall as compensation for such service, have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. The total compensation provided by this section including the compensation provided by this subsection shall be used in calculating any future cost-of-living adjustments provided by subsection 12 of this section.

19. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive a payment equivalent to eight and seven-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 12 and 13 of this section for the purposes of the limit on the total amount of increases which may be received.

20. Any member who has retired shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such request. As compensation for such duties, the person shall receive as a part of compensation for these duties a death benefit of five thousand dollars.

21. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests.

As compensation for such duties, the person shall have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to five dollars times the member's number of years of creditable service."; and

Further amend said title, enacting clause and intersectional references accordingly.

HCS SB 922, as amended, with House Amendment No. 4, pending, was laid over.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1541 - Miscellaneous Bills and Resolutions

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Williams (159) reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SCR 37**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

House Committee Substitute
for
Senate Concurrent Resolution No. 37

WHEREAS, the President of the United States has proposed the creation of a Delta Regional Authority; and

WHEREAS, the Delta Regional Authority would bring the resources of a Federal-State partnership to the region for economic growth and to provide the infrastructure and job training needed to make prosperity possible in the Delta; and

WHEREAS, the affected counties in Missouri desire to participate with the Delta Regional Authority in any policy development and programs for the Delta area:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby authorize the creation of the "Missouri Commission on the Delta Regional Authority"; and

BE IT FURTHER RESOLVED that the Missouri Commission on the Delta Regional Authority shall make recommendations to the General Assembly regarding policy development, prioritization of funding based upon poverty, joblessness, lack of job availability, literacy rates and level of education, and programs and interstate compacts; and

BE IT FURTHER RESOLVED that the Missouri Commission on the Delta Regional Authority may accept general revenue and other funds as may be appropriated to it; and

BE IT FURTHER RESOLVED that the Missouri Commission on the Delta Regional Authority shall be composed of one county commissioner or designee from each of the following central counties designated by the Lower Mississippi Delta Commission of Scott, Mississippi, New Madrid, Pemiscot, Dunklin, Stoddard and Butler, one of Missouri's representatives on the board of the lower Mississippi delta development center appointed by the governor, one member of the public chosen to represent the interests of agriculture appointed by the governor, one member of the public to represent business and industry appointed by the governor, and one member of the public to represent education appointed by the governor, three members of the house of representatives who represent the central counties designated by the Lower Mississippi Delta Development Commission, appointed by the speaker of the house, one member of the senate who represents the area of the central counties designated by the Lower Mississippi Delta Development Commission, appointed by the president pro tem, and the following ex officio members: the directors of the departments of economic development, transportation and agriculture, the director of the family investment trust, the commissioner of education, the commissioner of higher education, one member of the board of the Lower Mississippi River Delta Center; and

BE IT FURTHER RESOLVED that the department of economic development shall provide professional, legal and clerical staff for the Missouri Commission on the Delta Regional Authority; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Governor Mel Carnahan.

Committee on Ethics, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred **addition to the T.R.U.T.H. Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

March 29, 2000

The Honorable Robert Clayton
Chairman, House Ethics Committee
Room 114C - State Capitol
Jefferson City, MO 65101

Dear Representative Clayton:

I am requesting that Norma Champion be added to the T.R.U.T.H. Caucus. Attached you will find a letter containing Representative Champion's signature.

Thank you.

Sincerely,

/s/ Don Lograsso

March 15, 2000

Rep. Don Lograsso
House Post Office
Jefferson City, MO 65101

Dear Don:

Please add my name to the membership of the T.R.U.T.H. Caucus.

Thank you.

Sincerely,

/s/ Norma Champion

Mr. Speaker: Your Committee on Ethics, to which was referred **addition to the Women Legislators of MO Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

DATE: April 17, 2000

TO: Representative Robert Clayton
Chairman, House Committee on Ethics

FROM: Representative Dana L. Murray, President
Women Legislators of Missouri

RE: Addendum to Women Legislators of MO Caucus

In accordance with Section 105.473.3(2)(c)d RSMo, we would like to add the following members of the General Assembly as members of the Women Legislators of Missouri Caucus:

<u>Rep. District</u>	<u>Name</u>
32	/s/ Susan C. Phillips
37	/s/ Sharon Sanders Brooks
41	/s/ Melba J. Curls
42	/s/ Yvonne S. Wilson

Also, please remove Rep. Paula Carter from the Representative list and add her to the Senatorial list, District 9.

Mr. Speaker: Your Committee on Ethics, to which was referred **addition to the House Democratic Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo**.

DATE: April 10, 2000

TO: Representative Robert Clayton
Chairman, House Committee on Ethics

FROM: Representative Dana L. Murray
Majority Caucus Secretary

RE: Addendum to House Democratic Caucus

In accordance with Section 105.473.3(2)(c)d RSMo, we would like to add the following members of the General Assembly as members of the Missouri House Democratic Caucus:

<u>District</u>	<u>Name</u>
37	/s/ Sharon Sanders Brooks
162	/s/ Denny J. Merideth III

April 5, 2000

The Honorable Robert Clayton
Chairman
House Committee on Ethics
Capitol Building
Room 114 C
Jefferson City, MO 65101

Dear Chairman Clayton:

I respectfully request that you add my name to the House Democratic Caucus.

Thank you for your consideration in this matter.

Sincerely,

/s/ Denny J. Merideth, III
State Representative, District 162

Mr. Speaker: Your Committee on Ethics, to which was referred **addition to the Legislators for a Moderate Agenda Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

May 4, 2000

Anne Walker
Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65102

Dear Chief Clerk:

I would like to respectfully request that Harold Selby be added as a member to the Moderate Agenda Caucus. Thank you for your consideration.

Sincerely,

/s/ Ron Auer
59th Legislative District

May 3, 2000

The Honorable Ron Auer
State Capitol - Room 411
Jefferson City, MO 65101

Dear Representative Auer:

I would like to become a member of the *Moderate Agenda Caucus*. Thank you for your consideration.

Respectfully,

/s/ Harold R. Selby
State Representative
District 105

Committee on Public Health, Chairman Ladd Stokan reporting:

Mr. Speaker: Your Committee on Public Health, to which was referred **SCS SB 685**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 944**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Bill No. 944, with House Amendments Nos. 1, 2, 3, 4, 5, 6, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendments Nos. 8, 9, 11, 13, 14 and 15, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 944, as amended;
2. That the Senate recede from its position on Senate Bill No. 944; and
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 944 be adopted.

FOR THE HOUSE:

/s/ Phil Smith
/s/ D. J. Davis
/s/ Kate Hollingsworth
/s/ Emmy McClelland
/s/ Jewell Patek

FOR THE SENATE:

/s/ Harold Caskey
/s/ Joe Maxwell
/s/ Jerry Howard
/s/ Roseann Bentley
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1808**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Substitute for Senate Committee Substitute for House Bill No. 1808 with Senate Amendment No. 1, Senate Amendment No. 2, Senate Substitute Amendment No. 1 for Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 1 to Senate Amendment No. 5, Senate Amendment No. 5, as amended, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 12 and Senate Substitute Amendment No. 1 for Senate Committee Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1808, as amended;
2. That the House recede from its position on House Bill No. 1808;
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ James O'Toole
/s/ Richard Franklin
/s/ Mary Hagan-Harrell
/s/ T. Mark Elliott
/s/ Bill Foster

FOR THE SENATE:

/s/ John Scott
/s/ James Mathewson
/s/ Ronnie DePasco
/s/ David Klarich
/s/ Peter Kinder

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 881**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for House Committee Substitute for Senate Bill No. 881 begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 881;
2. That the Senate recede from its position on Senate Bill No. 881;
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ Tom Hoppe
/s/ Ron Auer
/s/ May Scheve
/s/ Jon Dolan
/s/ John Griesheimer

FOR THE SENATE:

/s/ Harry Wiggins
/s/ John Scott
/s/ Harold Caskey
/s/ Anita Yeckel
/s/ Betty Sims

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 896, as amended**, and requests the House to recede from its position specifically on **HA 9** and **HA 12** and take up and pass the bill.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 944, as amended**, and has taken up and passed **CCS HCS SB 944**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1948** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Staples, Mathewson, Scott, Childers and Westfall.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS SB 1948: Representatives Gratz, Ransdall, Koller, Marble and Hartzler (124)

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m., Tuesday, May 9, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-seventh Day, Sunday, May 7, 2000, pages 1395 and 1396, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Pages 1396 and 1397, roll call, by showing Representative Gross voting "aye" rather than "absent with leave".

Pages 1402 and 1403, roll call, by showing Representative Long voting "no" rather than "absent with leave".

Pages 1403 and 1404, roll call, by showing Representatives Davis (63) and Long voting "aye" rather than "absent with leave".

Page 1404, roll call, by showing Representative Sanders-Brooks voting "aye" rather than "present".

Page 1404, roll call, by showing Representatives Davis (63) and Long voting "aye" rather than "absent with leave".

Pages 1405 and 1406, roll call, by showing Representatives Campbell, Davis (63) and Long voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

FISCAL REVIEW

Tuesday, May 9, 2000, 8:00 am. Hearing Room 1. (Fiscal Note).

To be considered - HR 1250, SB 573, SB 597, SB 683, SB 806, Executive Session - SB 885, Executive Session - SB 974

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 10, 2000, 9:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HR 1541, SCR 44

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, May 9, 2000, 9:15 am. Side gallery.

To be considered - Executive Session - SB 756

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, May 9, 2000. Hearing Room 6 upon morning adjournment.

Possible Executive Session to follow.

To be considered - HCR 38

HOUSE CALENDAR

SIXTY-NINTH DAY, TUESDAY, MAY 9, 2000

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 45, HCA 1 - Scheve
- 3 HJR 51 - Clayton

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HB 2102 - Hampton
- 3 HB 1066, HCA 1 - Riback Wilson (25)
- 4 HB 1280 - Clayton
- 5 HB 1502 - Smith
- 6 HCS HB 1547 - Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 8 HB 1546 - Smith

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- 9 HCS HB 1606 - Bray
- 10 HCS HB 1225 - Hosmer
- 11 HCS HB 1540 - Green
- 12 HCS HB 1942 - Liese
- 13 HCS HB 1578 - Shelton
- 14 HB 2056 - Gunn
- 15 HCS HB 1718 - Smith
- 16 HCS HB 1966 - Hosmer
- 17 HCS HB 1997 - Smith
- 18 HCS HB 1336 - Lakin
- 19 HCS HB 1780 - Liese
- 20 HCS HB 1816 - Hosmer
- 21 HCS HB 1357 - Bonner
- 22 HB 1872 - Seigfreid
- 23 HCS HB 1674 - Graham (24)
- 24 HCS HB 1154 - Boucher
- 25 HCS HB 2114 - Hoppe
- 26 HCS HB 1649 - Williams (121)
- 27 HB 1216 - Kelly (27)
- 28 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1602, as amended - Leake
- 2 HB 1712 - McKenna
- 3 HS HB 1394, as amended - Murray

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 31, (5-1-00, pg. 1158) - Hollingsworth

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

SCR 39, (4-13-00, pg. 953) - Clayton

SENATE JOINT RESOLUTION FOR THIRD READING

SJR 50 - Scheve

SENATE BILLS FOR THIRD READING

- 1 HCS SB 724 - Farnen
- 2 SB 1053 - Days
- 3 HCS SB 936, E.C. - Bray

- 4 HCS SS SCS SB 763, (Fiscal Review, 5-3-00) - Kissell
- 5 HCS SB 922, as amended, HA 4, pending - Hagan-Harrell
- 6 HCS SS SCS SB 678 & 742, (Fiscal Review, 5-2-00) - May (108)
- 7 HCS SS SB 902 - Treadway
- 8 SCS SB 557 - Smith
- 9 SS SCS SB 867 & 552, (Fiscal Review, 5-2-00) - Scheve
- 10 HCS SS#2 SCS SB 934, 546, 578, 579 & 782 - Hosmer
- 11 HCS SS#2 SCS SB 757 & 602, (Fiscal Review, 5-4-00) - Scheve
- 12 SCS SB 540 - Wiggins
- 13 HCS SS SCS SB 925, E.C. - Williams (159)
- 14 HCS SB 996 - Hosmer
- 15 HCS SCS SB 842, E.C., (Fiscal Review, 5-4-00) - Hoppe
- 16 HCS SB 921 - Treadway
- 17 SB 892, (Fiscal Review, 5-4-00) - Crump
- 18 HCS SCS SB 683, (Fiscal Review, 5-5-00) - Koller
- 19 HCS SS SCS SB 885, (Fiscal Review, 5-5-00) - Smith
- 20 HCS SB 573, E.C., (Fiscal Review, 5-5-00) - Kissell
- 21 HCS SB 974, (Fiscal Review, 5-5-00) - Lakin
- 22 HCS SCS SB 806 & SB 537, E.C., (Fiscal Review, 5-5-00) - Britt
- 23 HCS SB 851 - Kreider
- 24 HCS SCS SB 597, (Fiscal Review, 5-5-00) - Dougherty
- 25 HCS SB 722 - Smith
- 26 SB 910 - Abel
- 27 HCS SS SCS SB 926, E.C., (Fiscal Review, 5-8-00) - Scheve
- 28 SCS SB 685 - Curls

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 HCS SCS SB 894 - Hoppe
- 2 HCS SCS SB 542 - Hoppe
- 3 SCS SB 779 - Wiggins

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HCS HB 1967, SA 1 to SCA 1, SCA 1, as amended, & SA 1, E.C. - Hoppe
- 2 SCS HB 1396 - Farnen

BILL CARRYING REQUEST MESSAGE

HS HCS SB 896, as amended,
(req. House recede on HA 9 & HA 12/take up and pass bill) - May (108)

BILLS IN CONFERENCE

- 1 SCS HB 1591 - Backer
- 2 HS HCS SS SB 549, as amended - Van Zandt
- 3 HCS SS SB 813, as amended - Kissell
- 4 CCR HS HCS SB 881, as amended - Hoppe
- 5 CCR SCS HB 1848 - Treadway

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- 6 CCR SS SCS HB 1808, as amended, E.C. - O'Toole
- 7 CCR HCS SB 944, as amended - Smith
- 8 HS HCS SB 788, as amended - Barry
- 9 HS HCS SB 856, as amended - Harlan
- 10 SCS HB 1948 - Gratz
- 11 HS SB 961, as amended, E.C. - Ransdall

HOUSE RESOLUTIONS

- 1 HR 557, (5-1-00, pg. 1160) - Gratz
- 2 HR 504, (5-1-00, pg. 1159) - Gratz

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTY-NINTH DAY, TUESDAY, MAY 9, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Father David Buescher.

Just, Holy, Loving God, Your grace may well be what this House truly needs today. May the grace of friendship with You visit jangled nerves, settle anxiety, rekindle decisiveness, that we may come closer to the finish of this session with a deep sense of accomplishment. May a spirit of inner serenity find a home in our hearts, and the fire of Your life move our minds and hands today. Build Your deep compassion into the core of the laws and acts this august body enacts this day. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sherri Holstine, Crystal Evans, Anthony Clough, Jeremie Johnston, Ross Eric Knight, Jason Blunk, Sarah Blunk, Christine Blunk, Laura Blunk, Stephen Blunk, Carl Hasse, Rachel Kaminski, Tyler Milford, Laura Mix, Colby Rizzo, Caity Hawksley, Matt Hearty, Madison Mack, Patrick Flynn, Ashley Mueller, Andrew Chetta, John Edwards, Amanda Conway, Mark Alexander, Alissa Harrison and Zach Morris.

The Journal of the sixty-eighth day was approved as corrected by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot

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Crawford	Dolan	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 003

Elliott Klindt Stokan

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1567 - Representative McClelland

House Resolution No. 1568 - Representative Selby

House Resolution No. 1569

and

House Resolution No. 1570 - Representative Thompson

House Resolution No. 1571 - Representative Wilson (42)

House Resolution No. 1572

and

House Resolution No. 1573 - Representative Gibbons

House Resolution No. 1574 - Representative Wilson (42)

House Resolution No. 1575 - Representative Murray

House Resolution No. 1576

and

House Resolution No. 1577 - Representative Scott

House Resolution No. 1578 - Representative Boykins

House Resolution No. 1579

and

House Resolution No. 1580 - Representative Patek

House Resolution No. 1581 - Representative Klindt

House Resolution No. 1582 - Representative Akin

House Resolution No. 1583 - Representative Rizzo

House Resolution No. 1584 - Representative Backer

Speaker Gaw assumed the Chair.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 1396, relating to governing bodies of public universities, was taken up by Representative Farnen.

On motion of Representative Farnen, **SCS HB 1396** was adopted by the following vote:

AYES: 142

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gunn	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 008

Chrismer	Gross	Hendrickson	Lograsso	Loudon
Luetkemeyer	Murphy	Pryor		

PRESENT: 001

Reid

ABSENT WITH LEAVE: 011

Dougherty	Elliott	Fraser	Hagan-Harrell	Miller
Ridgeway	Sallee	Scott	Stokan	Williams 121
Wright				

VACANCIES: 001

On motion of Representative Farnen, **SCS HB 1396** was truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Gambaro

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Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 008

Gross	Hendrickson	Howerton	Lograsso	Loudon
Luetkemeyer	Murphy	Pryor		

PRESENT: 000

ABSENT WITH LEAVE: 007

Boykins	Elliott	Fraser	Parker	Sallee
Smith	Stokan			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Gambaro, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Selby moved that motion lay on the table.

The latter motion prevailed.

BILLS IN CONFERENCE

CCR SCS HB 1848, relating to examinations of physicians and surgeons, was taken up by Representative Treadway.

On motion of Representative Treadway, **CCR SCS HB 1848** was adopted by the following vote:

AYES: 154

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher 48	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Wagner

PRESENT: 000

ABSENT WITH LEAVE: 007

Blunt	Boykins	Elliott	Fraser	Ridgeway
Sallee	Stokan			

VACANCIES: 001

On motion of Representative Treadway, **CCS SCS HB 1848** was read the third time and passed by the following vote:

AYES: 148

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Gambaro	Gaskill	George
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47

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Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reinhart	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Wagner

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Boykins	Dougherty	Elliott	Fraser
Gibbons	Murphy	Myers	Pryor	Reid
Relford	Sallee	Stokan		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Britt, title to the bill was agreed to.

Representative Curls moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

Representative Scheve assumed the Chair.

Representative Smith assumed the Chair.

Representative Scheve resumed the Chair.

CCR SS SCS HB 1808, as amended, relating to St. Louis firemen's retirement, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **CCR SS SCS HB 1808, as amended**, was adopted by the following vote:

AYES: 087

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hendrickson	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Patek	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 073

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Cierpiot	Crawford
Dolan	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hohulin
Holand	Howerton	Kasten	Kelley 47	Kelly 27
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 002

Elliott Stokan

VACANCIES: 001

On motion of Representative O'Toole, **CCS SS SCS HB 1808** was read the third time and passed by the following vote:

AYES: 145

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hickey	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kennedy	King

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Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Pouche 30
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 010

Boatright	Dolan	Hanaway	Hendrickson	Hohulin
Loudon	Murphy	Pryor	Ridgeway	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Elliott	Fraser	Hilgemann	Kelly 27	Linton
Parker	Stokan			

VACANCIES: 001

Representative Scheve declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hartzler 124	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Long	Loudon	Luetkemeyer	Luetkenhaus	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Ross	Scheve	Schilling	Schwab	Scott
Secrest	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 015

Bartelsmeyer	Boatright	Dolan	Gaskill	Hanaway
Hegeman	Hohulin	Howerton	Lograsso	Marble
Pryor	Ridgeway	Robirds	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Elliott	Linton	Sallee	Seigfreid	Stokan
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VACANCIES: 001

On motion of Representative George, title to the bill was agreed to.

Representative Hollingsworth moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

MOTION

Representative Crump moved that Rule 26 be suspended to allow House conferees to meet while the House is in session on May 9, 2000.

Which motion was adopted by the following vote:

AYES: 141

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Fraser	Froelker	Gambaro	Gaskill	George
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Pryor	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wilson 42

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NOES: 013

Cierpiot	Enz	Hanaway	Hendrickson	Hohulin
Lograsso	Loudon	Murphy	Nordwald	Phillips
Pouche 30	Purgason	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 008

Bartelsmeyer	Elliott	Franklin	Gibbons	Klindt
Naeger	Stokan	Williams 121		

VACANCIES: 001

Speaker Gaw resumed the Chair.

BILL CARRYING REQUEST MESSAGE

HS HCS SB 896, as amended, relating to business organizations, was taken up by Representative May (108).

Representative May (108) moved that the House refuse to recede from its position on **HS HCS SB 896, as amended**, and request the Senate grant the House a conference.

Which motion was adopted.

BILL IN CONFERENCE

CCR HCS SB 944, as amended, relating to school safety, was taken up by Representative Smith.

Representative Smith moved that **CCR HCS SB 944, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 001

Green

NOES: 146

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Fraser	Froelker	Gambara	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Hoppe
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider

Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Nordwald
O'Connor	Ostmann	Overschmidt	Parker	Patek
Phillips	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 015

Backer	Champion	Chrismer	Elliott	Franklin
Holand	Hosmer	Lograsso	Naeger	O'Toole
Pouche 30	Robirds	Ross	Stokan	Treadway

VACANCIES: 001

Representative Smith moved that the House refuse to adopt **CCR HCS SB 944, as amended**, and request the Senate grant the House a further conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SB 922, as amended, with House Amendment No. 4, pending, relating to retirement benefits, was taken up by Representative Hagan-Harrell.

House Amendment No. 4 was withdrawn.

Representative Hagan-Harrell offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 10, by inserting immediately after "**160.420**," the following: "**169.070**,"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 1, Section A, Line 8, by inserting immediately after "**160.420**," the following: "**169.070**,"; and

Further amend said bill, Page 2, Section A, Line 9, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 2, Section A, Line 17, by inserting immediately after "**160.420**," the following: "**169.070**,"; and

Further amend said bill, Page 67, Section 160.420, Line 32, by inserting immediately after said line the following:

"169.070. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more or whose creditable service is thirty years or more regardless of age, may be the sum of the following items, not to exceed one hundred percent of the member's final average salary:

- (1) Two and five-tenths percent of the member's final average salary for each year of membership service;
- (2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years.

In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection, a member may elect to receive a retirement allowance of:

(3) Between July 1, 1998, and July 1, [2000] **2003**, two and four-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-nine years or more but less than thirty years, and the member has not attained age fifty-five;

(4) Between July 1, 1998, and July 1, [2000] **2003**, two and thirty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained age fifty-five;

(5) Between July 1, 1998, and July 1, [2000] **2003**, two and three-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-seven years or more but less than twenty-eight years, and the member has not attained age fifty-five;

(6) Between July 1, 1998, and July 1, [2000] **2003**, two and twenty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-six years or more but less than twenty-seven years, and the member has not attained age fifty-five;

(7) Between July 1, 1998, and July 1, [2000] **2003**, two and two-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-five years or more but less than twenty-six years, and the member has not attained age fifty-five.

2. In lieu of the retirement allowance provided in subsection 1 of this section, a member whose age is sixty years or more on September 28, 1975, may elect to have the member's retirement allowance calculated as a sum of the following items:

(1) Sixty cents plus one and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years;

(3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for each month of attained age in excess of sixty years but not in excess of age sixty-five.

3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section, collectively called "option 1", a member whose creditable service is twenty-five years or more or who has attained the age of fifty-five with five or more years of creditable service may elect in the member's application for retirement to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the retired member elected option 1;

OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the reserve for the remainder of such one hundred twenty monthly payments shall be paid to the estate of the last person to receive a monthly allowance;

OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the reserve of the remainder of such sixty monthly payments shall be paid to the estate of the last person to receive a monthly allowance.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated to receive the survivorship payments dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after acquiring twenty-five or more years of creditable service or after attaining the age of fifty-five years and acquiring five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's primary beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship benefits under option 2 or a payment of the accumulated contributions of the member. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the member's primary beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either a payment of the member's accumulated contributions, or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section.

4. If the total of the retirement allowance paid to an individual before the death of the individual is less than the accumulated contributions at the time of retirement, the difference shall be paid to the beneficiary of the individual, or to the estate of the individual, if there be no beneficiary. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section had been elected, and the beneficiary dies after receiving the optional benefit, and if the total retirement allowance paid to the retired individual and the beneficiary of the retired individual is less than the total of the contributions, the difference shall be paid to the estate of the beneficiary unless the retired individual designates a different recipient with the board at or after retirement.

5. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the death of the member shall be paid to the beneficiary of the member or to the estate of the member, if there be no beneficiary; except that, no such payment shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the estate of the beneficiary.

6. If a member ceases to be a public school employee as herein defined and certifies to the board of trustees that such cessation is permanent, or if the membership of the person is otherwise terminated, the member shall be paid the

member's accumulated contributions with interest.

7. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a member ceases to be a public school employee after acquiring five or more years of membership service in Missouri, the member may at the option of the member leave the member's contributions with the retirement system and claim a retirement allowance any time after reaching the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.010 to 169.141 on the basis of the member's age, years of service, and the provisions of the law in effect at the time the member requests the member's retirement to become effective.

8. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty, or fifty percent of one-twelfth of the annual salary rate used in determining the member's contributions during the last school year for which the member received a year of creditable service immediately prior to the member's disability, whichever is greater, except that no such allowance shall exceed the retirement allowance to which the member would have been entitled upon retirement at age sixty if the member had continued to teach from the date of disability until age sixty at the same salary rate.

9. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied by the factor of two-thirds for any member of the system for whom federal Old Age and Survivors Insurance tax is paid from state or local tax funds on account of the member's employment entitling the person to membership in the system. The monetary benefits for a member who elected not to exercise an option to pay into the system a retroactive contribution of four percent on that part of the member's annual salary rate which was in excess of four thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each year of employment in a position covered by this system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of this section as it appears in RSMo 1969, shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the benefits provided in this section as it appears in RSMo 1959; except that if the member has at least thirty years of creditable service at retirement the member shall receive the benefit payable pursuant to that section as though the member's age were sixty-five at retirement;

(4) For years of membership service after July 1, 1961, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

10. The monetary benefits for each other member for whom federal Old Age and Survivors Insurance tax is or was paid at any time from state or local funds on account of the member's employment entitling the member to membership in the system shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

11. Any retired member of the system who was retired prior to September 1, 1972, or beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement allowance of the member of two percent for each year, or major fraction of more than one-half of a year, which the retired member has been retired prior to July 1, 1975. This increased amount shall be payable commencing with January, 1976, and shall thereafter be referred to as the member's retirement allowance. The increase provided for in this subsection shall not affect the retired member's eligibility for compensation provided for in section 169.580 or 169.585, nor shall the amount being paid pursuant to these sections be reduced because of any increases provided for in this section.

12. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases two percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by two percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board; with the provision that the increases provided

for in this subsection shall not become effective until the fourth January first following the member's retirement or January 1, 1977, whichever later occurs, **or in the case of any member retiring on or after July 1, 2000, and not for any member retiring before July 1, 2000, the increase provided for in this subsection shall not become effective until the third January first following the member's retirement.** Commencing with January 1, 1992, if the board of trustees determines that the cost of living has increased five percent or more in the preceding fiscal year, the board shall increase the retirement allowances by five percent. The total of the increases granted to a retired member or the beneficiary after December 31, 1976, may not exceed [seventy-five] **eighty** percent of the retirement allowance established at retirement or as previously adjusted by other subsections. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

13. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 12 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; except that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1976.

14. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

15. Notwithstanding any other provision of law, any person retired prior to September 28, 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 28, 1983, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have his or her retirement allowance increased to the amount he or she would have been receiving had the option not been elected, actuarially adjusted to recognize any excessive benefits which would have been paid to him or her up to the time of application.

16. Benefits paid pursuant to the provisions of the public school retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code **except as provided pursuant to this subsection. Notwithstanding any other law to the contrary, the board of trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United States Code. Such plan shall be created solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.**

17. Notwithstanding any other provision of law to the contrary, any person retired before, on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive an amount based on the person's years of service so that the total amount received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts specified in subdivisions (1) to (4) of this subsection. In determining the minimum amount to be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance. In determining the minimum amount to be received, beginning September 1, 1996, the amounts in subdivisions (1) and (2) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance due to election of an optional form of retirement having a continued monthly payment after the person's death. Notwithstanding any other provision of law to the contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of such a person, shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based on the person's years of service less than the following amounts:

- (1) Thirty or more years of service, one thousand two hundred dollars;
- (2) At least twenty-five years but less than thirty years, one thousand dollars;
- (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- (4) At least fifteen years but less than twenty years, six hundred dollars.

18. Notwithstanding any other provisions of law to the contrary, any person retired prior to May 26, 1994, and any designated beneficiary of such a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response to such requests. Beginning September 1, 1996, as compensation for such service, the member shall have added, pursuant to this subsection, to the member's monthly

annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased member shall as compensation for such service, have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. The total compensation provided by this section including the compensation provided by this subsection shall be used in calculating any future cost-of-living adjustments provided by subsection 12 of this section.

19. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive a payment equivalent to eight and seven-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 12 and 13 of this section for the purposes of the limit on the total amount of increases which may be received.

20. Any member who has retired shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such request. As compensation for such duties, the person shall receive as a part of compensation for these duties a death benefit of five thousand dollars.

21. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to five dollars times the member's number of years of creditable service.

22. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a payment equivalent to three and five-tenths percent of the previous month's benefit, which shall be added to the member or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 12 and 13 of this section for the purposes of the limit on the total amount of increases which may be received."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hagan-Harrell, **House Amendment No. 4** was adopted.

Representative Hagan-Harrell offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 12, by inserting after the word "subject" the following: "**with an emergency clause**"; and

Further amend said bill, Page 83, Section 513.430, Line 85, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary to provide equitable treatment and timely application of certain pension benefits and compensation, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect on July 1, 2000, or upon its passage and approval, whichever later occurs."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hagan-Harrell, **House Amendment No. 5** was adopted.

Representative Hagan-Harrell offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 2, Section A, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 2, Section A, Line 18, by deleting "**and 513.430**" and inserting in lieu thereof the following: "**, 513.430 and 1**"; and

Further amend said bill, Page 83, Section 513.430, Line 85, by inserting immediately after said line the following:

"Section 1. Beginning in fiscal year 2002, no school district in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants offering more than one health care plan to any retiree eligible for Medicare shall enter into a contract for Medicare-coordinated coverage if the out-of-pocket expense for prescription drugs exceeds one hundred ten percent of the out-of-pocket expense for prescription drugs under the district's nonMedicare plan for retirees. This section shall not apply to plans provided pursuant to chapter 103, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hagan-Harrell, **House Amendment No. 6** was adopted.

Representative Smith resumed the Chair.

Representative Crump offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 922, Page 66, Section 104.374, Line 19, by adding after all of said line the following:

"104.610. 1. Any person, who is receiving or hereafter may receive state retirement benefits from the Missouri state employees' retirement system other than a person with twelve or more years of service in statewide state elective office receiving benefits pursuant to the provisions of section 104.371, a legislators' retirement system, or the transportation department employees' and highway patrol retirement system, upon application to the board of trustees of the system from which he or she is receiving retirement benefits, shall be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement, aging, and other state matters, for the remainder of the person's life, and upon request of the board, or other state agencies where such person was employed prior to retirement, give opinions, and be available to give opinions in writing, or orally, in response to such requests, as may be required, and for such services shall be compensated monthly, in an amount, which, when added to any monthly state retirement benefits received on his or her retirement, shall be equal to the state retirement benefits the person would be receiving currently if the person had benefitted from changes in the law effecting increases in the rate in the formula for calculating benefits in his or her respective retirement system, for his or her type of employment or for those persons having accrued thirty-five or more years of creditable service, changes in the law pertaining to the age and service requirements for a normal annuity in his or her respective retirement system, made subsequent to the date of his or her retirement; except that in calculating such benefits the meaning of "average compensation" shall be that ascribed to it

by the law in effect on the date on which the benefits pursuant to this section are calculated.

2. In lieu of any other benefits pursuant to the provisions of this section, any member of the Missouri state employees' retirement system who has or may hereafter retire pursuant to the provisions of section 104.371, pertaining to those members who have held statewide state elective office for at least twelve years, may apply pursuant to this section to be employed as a special consultant and for such services shall be compensated monthly, in an amount, which, when added to any monthly state retirement benefits received initially on his or her retirement, shall be equal to the state retirement benefits the person would be receiving if the person had benefitted from changes in the law affecting increases in compensation for statewide state elective offices, pursuant to house substitute for senate bill no. 528, second regular session of the eighty-second general assembly, any other provisions of the law to the contrary notwithstanding.

3. This compensation shall be consolidated with any other retirement benefits payable to the person, and shall be funded as provided in section 104.436.

4. This compensation shall be treated as any other state retirement benefits payable by the Missouri state employees' retirement system or the transportation department employees' and highway patrol retirement system are treated and shall not be subject to execution, garnishment, attachment, writ of sequestration, or any other process or claim whatsoever, and shall be unassignable, anything to the contrary notwithstanding.

5. The employment provided for by this section shall in no way affect any person's eligibility for retirement benefits pursuant to this chapter, or in any way have the effect of reducing retirement benefits, anything to the contrary notwithstanding.

6. In order to determine the total monthly state retirement compensation due each retiree who is eligible for the additional amount provided for in subsection 1 of this section, the following formula shall be used:

(1) The retiree's base monthly retirement compensation shall be determined by dividing the sum of the retiree's annual normal annuity as of the effective date of any increase in the rate in the formula for calculating benefits in his or her respective retirement system plus any annual increases granted such retiree as a result of his or her being a consultant, by twelve;

(2) The amount determined pursuant to subdivision (1) of this subsection shall be increased by an amount equal to the base monthly retirement compensation calculated pursuant to subdivision (1) of this subsection multiplied by the percentage increase in the rate in the formula;

(3) The sum obtained from completing the calculations contained in subdivisions (1) and (2) of this subsection shall be the retiree's new total monthly state retirement compensation. Any retiree who is eligible for the benefit provided in subsection 1 of this section whose benefit pursuant to subsection 1 of this section was not calculated in accordance with the procedure provided in this subsection shall have his or her total monthly retirement compensation for all months beginning on or after September 28, 1985, recalculated in accordance with this subsection.

7. The provisions of this section are severable. If any provision of this section is found by a court of competent jurisdiction to be unconstitutional or otherwise invalid, the remaining provisions of this section are valid unless the court finds that such valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

8. Any person who terminates employment or retires prior to July 1, 2000, shall be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement, aging, and other state matters, for the remainder of the person's life, and upon request of the board, or other state agencies where such person was employed prior to retirement, give opinions, and be available to give opinions in writing, or orally, in response to such requests, as may be required, and for such services shall be eligible to elect to receive a retirement annuity pursuant to the year 2000 plan as provided in this chapter.

9. Any person who is receiving or hereafter may receive retirement benefits pursuant to section 104.374, and would qualify for a benefit pursuant to Section 1 of this bill if such person were an active employee or beneficiary of an active employee, such person, upon application to the board of trustees of the system from which he or she is receiving retirement benefits, shall be made, constituted, appointed and employed by the board as a special consultant on the problems of retirement, aging and other state matters, for the remainder of the person's life, and upon request of the board, or other state agencies where such person was employed prior to retirement, give opinions in writing, or orally, in response to such requests, as may be required, and for such services shall be compensated monthly, in an amount which, when added to any monthly state retirement benefits received on his or her retirement, shall be equal to the retirement benefits the person would be receiving currently if the person had benefitted from changes in the law effecting increases pursuant to section 1 of this bill.”; and

Further amend said bill, Page 83, Section 513.430, Line 85, by adding after all of said line the following:

“Section 1. In addition to the amount determined pursuant to subsection 1 of section 104.374, RSMo, the normal annuity of a uniformed conservation agent shall be increased by thirty-three and one-third of the benefit.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Crump, **House Amendment No. 7** was adopted by the following vote:

AYES: 089

Abel	Alter	Ballard	Barry 100	Bartelsmeyer
Bartle	Bennett	Berkowitz	Berkstresser	Blunt
Boatright	Bonner	Boucher 48	Britt	Champion
Clayton	Crawford	Crump	Curls	Davis 122
Dolan	Farnen	Fitzwater	Foley	Ford
Froelker	Graham 24	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 124	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kennedy	King	Kissell	Klindt	Koller
Lawson	Leake	Levin	Liese	Linton
Long	Luetkemeyer	Luetkenhaus	May 108	McKenna
McLuckie	Miller	Monaco	Myers	O'Connor
Overschmidt	Parker	Patek	Pouche 30	Pryor
Purgason	Ransdall	Reid	Relford	Riley
Rizzo	Scheve	Scott	Seigfreid	Selby
Shelton	Shields	Smith	Summers	Surface
Thompson	Townley	Troupe	Wagner	Wiggins
Williams 121	Williams 159	Wright	Mr. Speaker	

NOES: 061

Akin	Auer	Backer	Barnett	Black
Bray 84	Burton	Campbell	Chrismer	Cierpiot
Davis 63	Days	Enz	Evans	Foster
Franklin	Fraser	Gambara	Gaskill	George
Gratz	Green	Gross	Gunn	Hartzler 123
Hegeman	Hendrickson	Hohulin	Kelley 47	Kelly 27
Kreider	Lakin	Legan	Lograsso	Loudon
Marble	Mays 50	McClelland	Merideth	Murphy
Murray	Naeger	Nordwald	O'Toole	Phillips
Reinhart	Reynolds	Richardson	Ridgeway	Robirds
Ross	Sallee	Schilling	Schwab	Skaggs
Tudor	Van Zandt	Vogel	Ward	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 012

Boykins	Brooks	Dougherty	Elliott	Gibbons
Graham 106	Kasten	McBride	Ostmann	Secrest
Stokan	Treadway			

VACANCIES: 001

Representative Backer offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 922, Page 80, Section 169.569, Line 22, by adding after all of said line the following:

“169.596. 1. Any school district with a shortage of certified teachers, as determined by the school district, may allow retired certificated teachers, but not retired administrators, from any Missouri public teacher retirement system to teach full time in a teaching assignment for up to two years without losing his or her retirement benefits provided said teacher had taught for at least thirty years prior to retirement. The total number of such retired certificated teachers shall not exceed, at any one time, the greater of ten percent of the total teacher staff for that school district or five persons. Any retired certificated teacher hired pursuant to this section shall be included in the State Directory of New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section 1320b-7. The provisions of this section shall not become effective until the affected retirement systems have completed actuarial studies assuring that the provisions are cost-neutral and the systems remain actuarially sound. All necessary costs shall be paid by the hiring school district and shall not exceed the school district’s statutory cost limitations.

2. Any school district with a shortage of non-certified employees, as determined by the school district, may allow retired non-certificated employees, but not retired non-certificated administrators, from the Non-Teacher School Employee Retirement System to work full time in a non-certificated assignment for up to two years without losing his or her retirement benefits provided said employee had worked for a school district for at least thirty years prior to retirement. The total number of such retired non-certificated employees shall not exceed, at any one time, the greater of ten percent of the total non-certificated staff for that school district or five persons. The provisions of this section shall not become effective until the affected retirement system has completed actuarial studies assuring that the provisions are cost-neutral and the system remains actuarially sound. All necessary costs shall be paid by the hiring school district and shall not exceed the school district’s statutory cost limitations.”; and

Further amend said bill, Page 83, Section 513.430, Line 85, by adding after all of said line the following:

“Section B. Section 169.596 shall terminate on June 30, 2003.”; and

Further amend said bill, In the Title, Line 12, by adding after the word **“subject”** the following:

“, with a termination date for a certain section”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Hartzler (124) offered **House Amendment No. 1 to House Amendment No. 8.**

House Amendment No. 1

to

House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Bill No. 922, by adding the following new subsection 3 at the end of subsection 2:

“3. Notwithstanding the provisions of subsections 1 and 2 of this section, any Missouri public school retirement system shall, upon notification from the school district, waive the hour limitation for employment of any certificated retiree serving as a substitute teacher in a school district that is experiencing a shortage of qualified substitute teachers; retired certificated teachers hired as substitutes shall not exceed six weeks at any one assignment.”.

Representative Berkowitz offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 8.**

*House Substitute Amendment No. 1
for
House Amendment No. 1
to
House Amendment No. 8*

AMEND House Amendment No. 8 to House Committee Substitute for Senate Bill No. 922, by adding the following new subsection 3 at the end of subsection 2:

“3. Notwithstanding the provisions of subsections 1 and 2 of this section, any Missouri public school retirement system shall, upon notification from the school district, waive the hour limitation for employment of any certificated retiree serving as a substitute teacher in a school district that is experiencing a shortage of qualified substitute teachers; [retired certificated teachers hired as substitutes shall not exceed six weeks at any one assignment.]”.

Representative Bartelsmeyer raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 8** is in the third degree.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Berkowitz, **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 8** was adopted.

Representative Crump moved the previous question on **House Amendment No. 8, as amended.**

Which motion was adopted by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

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NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 003

Elliott	Linton	Stokan
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VACANCIES: 001

On motion of Representative Backer, **House Amendment No. 8, as amended**, was adopted by the following vote:

AYES: 105

Akin	Auer	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Britt	Burton	Champion	Chrismer	Cierpiot
Crawford	Crump	Curls	Dolan	Enz
Evans	Farnen	Fitzwater	Ford	Foster
Fraser	Froelker	Gaskill	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hilgemann
Holand	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	King	Klindt	Kreider
Lawson	Legan	Liese	Lograsso	Loudon
Luetkemeyer	Marble	McBride	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Secrest	Seigfreid	Shields	Smith
Summers	Surface	Thompson	Townley	Tudor
Vogel	Ward	Wiggins	Williams 159	Wright

NOES: 046

Abel	Alter	Barry 100	Boykins	Bray 84
Campbell	Clayton	Davis 122	Davis 63	Days
Foley	Franklin	Gambara	George	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hohulin	Hollingsworth	Kennedy	Kissell	Lakin
Leake	Levin	Mays 50	McClelland	McKenna
McLuckie	O'Connor	O'Toole	Ostmann	Relford
Reynolds	Schilling	Selby	Shelton	Skaggs
Treadway	Troupe	Van Zandt	Wagner	Wilson 25
Mr. Speaker				

PRESENT: 003

Brooks Luetkenhaus Wilson 42

ABSENT WITH LEAVE: 008

Dougherty Elliott Koller Linton Long
May 108 Stokan Williams 121

VACANCIES: 001

Representative Hagan-Harrell offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 10, by inserting immediately after "**169.410**," the following: "**287.812, 287.815**"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-two**"; and

Further amend said bill, Page 2, Section A, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"169.324, 169.410, 287.812, 287.815, 476.690 and 513.430, RSMo Supp. 1999, are repealed and ninety-two new"; and

Further amend said bill, Page 2, Section A, Line 18, by inserting immediately after "**169.569**," the following:

"287.812, 287.815"; and

Further amend said bill, Page 80, Section 169.569, Line 22, by inserting immediately after said line the following:

"287.812. As used in sections 287.812 to 287.855, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Administrative law judge", any person appointed pursuant to section 287.610 or section 621.015, RSMo, **or section 622.020, RSMo**, or any person who hereafter may have by law all of the powers now vested by law in administrative law judges appointed [under] **pursuant to** the provisions of the workers' compensation law, **or any attorney, other than the general counsel or any attorney who serves under the general counsel, who is appointed by the public service commission to preside over matters pending before the commission and who is licensed to practice law in this state;**

(2) "Beneficiary", a surviving spouse married to the deceased administrative law judge or legal advisor of the division of workers' compensation continuously for a period of at least two years immediately preceding the administrative law judge's or legal advisor's death and also on the day of the last termination of such person's employment as an administrative law judge or legal advisor for the division of workers' compensation, or if there is no surviving spouse eligible to receive benefits, any minor child of the deceased administrative law judge or legal advisor, or any child of the deceased administrative law judge or legal advisor who, regardless of age, is unable to support himself **or herself** because of mental retardation, disease or disability, or any physical handicap or disability, who shall share in the benefits on an equal basis with all other beneficiaries;

(3) "Benefit", a series of equal monthly payments payable during the life of an administrative law judge or legal advisor of the division of workers' compensation retiring pursuant to the provisions of sections 287.812 to 287.855 or payable to a beneficiary as provided in sections 287.812 to 287.850;

(4) "Board", the board of trustees of the Missouri state employees' retirement system;

(5) "Division", the division of workers' compensation of the state of Missouri;

(6) "Legal advisor", any person appointed or employed pursuant to section 287.600, 287.615, or 287.616 to serve

in the capacity as a legal advisor or an associate administrative law judge and any person appointed pursuant to section 286.010, RSMo, or pursuant to section 295.030, RSMo, and any attorney or legal counsel appointed or employed pursuant to section 286.070, RSMo;

(7) "Salary", the total annual compensation paid for personal services as an administrative law judge or legal advisor, or both, of the division of workers' compensation by the state or any of its political subdivisions.

287.815. 1. Effective August 28, 1999, any person, sixty-two years of age or older, who has served or who has creditable service in this state for an aggregate of at least twelve years, or any person, sixty years of age or older, who has served or who has creditable service in this state for an aggregate of at least fifteen years or any person, fifty-five years of age or older, who has served or who has creditable service in this state for an aggregate of twenty years, continuously or otherwise, as an administrative law judge or legal advisor, or both, of the division, and who, on or after August 13, 1984, ceases to hold office by reason of the expiration of his or her term, voluntary resignation, retirement pursuant to the provisions of sections 287.812 to 287.856, or removal by the governor for any nondisciplinary reason, shall receive benefits as provided in sections 287.812 to 287.856. The twelve years', fifteen years' or twenty years' requirement of this section may be fulfilled by service as an administrative law judge or legal advisor, or both, of the division at any time prior to or after August 13, 1984. If a person appointed pursuant to section 286.010, RSMo, or a chairman appointed pursuant to section 295.030, RSMo, does not have twelve years' or fifteen years' service, as required pursuant to this subsection, as an administrative law judge or legal advisor, or both, but the person has served in the general assembly, each biennial assembly or partial biennial assembly either served or purchased shall be deemed and credited as two full years of creditable service as an administrative law judge or legal advisor if the person waives in writing all right to any other retirement benefit provided by his or her service as a member of the general assembly.

2. Any aggregate of twelve years or more of such service shall entitle the person to retirement benefits provided in sections 287.812 to 287.856 regardless of whether or not the person was so employed upon reaching the age of eligibility as described in subsection 1 of this section. However, the retirement benefits shall not be paid to the person until that person attains the age of eligibility as described in subsection 1 of this section.

3. If a person appointed pursuant to section 286.010, RSMo, or pursuant to section 295.030, RSMo, or pursuant to section 621.015, RSMo, **or pursuant to section 622.020, RSMo**, or an attorney or legal counsel appointed or employed pursuant to section 286.070, RSMo, **or any attorney, other than the general counsel or any attorney who serves under the general counsel, who is appointed by the public service commission to preside over matters pending before the commission and who is licensed to practice law in this state**, does not have twelve years' service as an administrative law judge or legal advisor, or both, but the person has creditable service under the Missouri state employees' retirement system, such person may elect that such service be credited as service as an administrative law judge or legal advisor if the person waives in writing all right to any other retirement benefit provided for other service. Persons appointed pursuant to section 621.015, RSMo, shall be required to have served a majority of a term in order to qualify for benefits pursuant to sections 287.812 to 287.856.

4. Any person who has been appointed and has served pursuant to section 621.015, RSMo, prior to August 28, 1999, who is receiving or thereafter is qualified to receive retirement benefits pursuant to section 104.374, RSMo, shall upon application be made, constituted, appointed and employed by the board of trustees of the Missouri state employees' retirement system as a special consultant on the problems of retirement, aging and other state matters for the remainder of the person's life. Upon request of the board or the administrative hearing commission, the consultant shall give opinions or be available to give opinions in writing or orally in response to such requests. As compensation for such services and in lieu of receiving benefits pursuant to section 104.374, RSMo, each such special consultant shall be eligible for all benefits payable pursuant to sections 287.812 to 287.856, effective upon the later of August 28, 1999, or the date retirement benefits become payable. In no event shall retroactive benefits be paid."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hagan-Harrell moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 022

Auer	Barry 100	Boucher 48	Foster	Franklin
Hagan-Harrell	Hendrickson	Kasten	Kennedy	Kreider
Lograsso	Loudon	Mays 50	McLuckie	Monaco
Myers	Richardson	Schwab	Troupe	Vogel
Wiggins	Williams 121			

NOES: 135

Abel	Akin	Alter	Backer	Ballard
Barnett	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	King	Kissell	Klindt
Koller	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Luetkemeyer
Luetkenhaus	Marble	May 108	McBride	McClelland
McKenna	Merideth	Miller	Murphy	Murray
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Tudor	Van Zandt	Wagner
Ward	Williams 159	Wilson 25	Wright	Mr. Speaker

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 004

Dougherty	Elliott	Ostmann	Stokan
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VACANCIES: 001

Representative Kelly (27) offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 6, by inserting immediately after "**86.780**," the following: "**87.050**,"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 1, Section A, Line 5, by inserting immediately after "**86.780**," the following: "**87.050**,"; and

Further amend said bill, Page 2, Section A, Line 9, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 2, Section A, Line 16, by inserting immediately after "**86.780**," the following: "**87.050**"; and

Further amend said bill, Page 60, Section 86.780, Line 13, by inserting immediately after said line the following:

"87.050. 1. If any member shall be killed or die while in the performance of [this] **his or her** duty or as the result of any injury received in the line of duty, or of any disease contracted by reason of his **or her** occupation, or shall die from any cause whatever while a member of said fire department, or shall die while receiving a disability or service pension, and shall leave a [widow] **survivor** or child or children under the age of eighteen years surviving, said board of trustees shall order and direct the payment from the pension fund, monthly, to such [widow] **survivor**, a sum equal to not less than twenty percent of the monthly compensation allowed a first class fireman of the fire department as salary at the date of the death of the member or seventy-five dollars, whichever is greater; and to or for the benefit of each child until it reaches the age of eighteen, a sum equal to not less than five percent of the monthly compensation allowed a first class fireman of the fire department as salary at the date of the death of the member; and to or for each unmarried child, regardless of age, who is totally and permanently mentally or physically incapacitated from engaging in gainful employment sufficiently remunerative to support himself **or herself**, a sum equal to five percent of the monthly compensation allowed a first class fireman of the fire department as salary at the date of the death of the member; provided that no benefits shall be paid to or for any child over eighteen years of age who is totally and permanently mentally or physically disabled or incapacitated if such child is a patient or ward in a publicly supported institution. [In the case of widows, payments shall be made only to those widows whose marriage to the member occurred prior to his retirement on disability or service pension, and shall be made only while said widow is unmarried and are to cease forever immediately upon remarriage.] In the case of children no payments shall be made to or for any child born or adopted after the effective date of the member's retirement on disability or service pension, or the date of his **or her** death, and payments shall not be made for more than three eligible children and, if there are more than three eligible children, payments shall be made for the three youngest eligible children. If the member who dies is a member of a volunteer department, the amount to be paid monthly to [his widow] **the survivor** and children aforesaid shall be fixed by the board of trustees.

2. Any [widow] **survivor** who is receiving survivors' pension benefits under the provisions of this section as it existed at any time prior to August 13, 1982, upon application to the board of trustees, shall be employed by the board as a special consultant on the problems of retirement, aging, and other pension system matters for the remainder of her life and upon request of the board shall give opinions in writing or orally, as may be requested, and for such services shall be compensated monthly in an amount equal to the difference between the amount of the monthly pension benefit the [widow] **survivor** is receiving for **himself or herself** and seventy-five dollars. This compensation shall be consolidated with the pension benefits the [widow] **survivor** is receiving and shall be paid out of the same fund as are such benefits. Employment as a special consultant shall in no way affect any [widow's] **survivor's** eligibility for survivors' pension benefits or in any way have the effect of reducing such benefits, other provisions of law to the contrary notwithstanding."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 10** was adopted.

Representative Kelly (27) offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 2, by inserting immediately after "**70.605**," the following: "**70.610**"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting immediately after "**70.605**," the following: "**70.610**"; and

Further amend said bill, Page 2, Section A, Line 9, by deleting the word "**ninety**" and inserting in lieu thereof the word "**ninety-one**"; and

Further amend said bill, Page 2, Section A, Line 10, by inserting immediately after "**70.605**," the following: "**70.610**"; and

Further amend said bill, Page 2, Section 70.605, Line 11, by placing opening and closing brackets, "[" and "]", around the word "**seven**" on said line and inserting after the closing bracket the following: "**nine**"; and

Further amend said bill, Page 2, Section 70.605, Line 13, by placing opening and closing brackets, "[" and "]", around the word "**and**" on said line; and

Further amend said bill, Page 2, Section 70.605, Line 15, by inserting after the word "**subdivision**" the following:

"; one member of the house of representatives, appointed by the speaker of the house of representatives; and one member of the senate, appointed by the president pro tempore of the senate"; and

Further amend said bill, Page 3, Section 70.605, Line 24, by deleting all of said line and inserting in lieu thereof the following:

"(3) [That person] Those persons appointed by the governor, the speaker of the house of representatives and the president pro tempore of the senate under the provisions of subsection 2 of this"; and

Further amend said bill, Page 4, Section 70.605, Lines 66 and 67, by placing opening and closing brackets, "[" and "]", around the word "**Four**" as such word appears on each line, and by inserting after each closing bracket the following: "**Five**"; and

Further amend said bill, Page 4, Section 70.605, Lines 72, 76 and 80, by placing opening and closing brackets, "[" and "]", around the word "**four**" as such word appears on each line, and by inserting after each closing bracket the following: "**five**"; and

Further amend said bill, Page 6, Section 70.605, Line 135, by inserting immediately after said line the following:

"70.610. 1. Each political subdivision, by a majority vote of its governing body, may elect to become an employer and cover its employees under the system, as follows:

(1) The clerk or secretary of the political subdivision shall certify the election to be an employer to the board within ten days after the vote of the governing body. The effective date of the political subdivision's coverage is the first day of the calendar month next following receipt by the board of the election to be an employer, or the operative date of the system, whichever is the later.

(2) An employer must cover all its employees who are neither policemen nor firemen and may cover its policemen or firemen or both.

2. Any home rule city with a population over seventy thousand, located in a county of the first classification without a charter form of government, may permit, during the period beginning on January 1, 2001, and ending on January 1, 2002, any of its employees who are firemen to participate in the local government employees' retirement system pursuant to sections 87.005 and 87.105, RSMo. Any written election by an employee opting to participate in the local government employees' retirement system shall be irrevocable, and shall entitle such employee to become a member of such system and be entitled to the system's benefit program, as determined by the board of trustees."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 11** was adopted.

Representative Levin offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 922, Page 83, Section 513.430, Line 85, by inserting immediately after all of said line the following:

“Section 1. 1. It is the public policy of this state in respect to public employee retirement system plans, as “plan” is defined in section 105.660, RSMo., to recognize marriage only between a man and a woman in defining “marriage” and “spouse” for benefit purposes.

2. Any purported marriage not between a man and a woman is invalid.

3. A marriage or any other union between persons of the same sex will not be recognized for the purposes of this section in this state even when valid where contracted.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Levin, **House Amendment No. 12** was adopted by the following vote:

AYES: 117

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Burton	Champion	Cierpiot
Clayton	Crawford	Crump	Davis 122	Dolan
Farnen	Fitzwater	Foley	Foster	Franklin
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Gratz	Green	Griesheimer	Gross
Gunn	Hampton	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Holand	Hollingsworth
Hosmer	Howerton	Kasten	Kelley 47	King
Kissell	Klindt	Kreider	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	May 108	McBride
McClelland	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Seigfreid	Selby	Shields	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Vogel	Ward	Wiggins	Williams 159
Wright	Mr. Speaker			

NOES: 018

Boykins	Bray 84	Brooks	Campbell	Curls
Davis 63	Days	Fraser	Hilgemann	Lakin
McLuckie	Riley	Scheve	Schilling	Skaggs
Van Zandt	Wilson 25	Wilson 42		

PRESENT: 000

ABSENT WITH LEAVE: 027

Barry 100	Britt	Chrismer	Dougherty	Elliott
Enz	Evans	Ford	Graham 24	Hagan-Harrell
Harlan	Hohulin	Hoppe	Kelly 27	Kennedy
Koller	Leake	Loudon	Mays 50	McKenna
O'Connor	Richardson	Rizzo	Shelton	Stokan
Wagner	Williams 121			

VACANCIES: 001

Representative Reid requested verification of the roll call on the adoption of **House Amendment No. 12**.

Representative Crump moved the previous question on the adoption of **HCS SB 922, as amended**.

Which motion was defeated by the following vote:

AYES: 074

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Clayton	Crump	Curls	Davis 122
Days	Farnen	Fitzwater	Foley	Franklin
Fraser	Gambaro	George	Graham 24	Green
Gunn	Hagan-Harrell	Hampton	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Treadway	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 077

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Campbell	Champion	Cierpiot
Crawford	Davis 63	Dolan	Enz	Evans
Ford	Foster	Froelker	Gaskill	Graham 106
Gratz	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kasten	Kelley 47	Kelly 27	Klindt
Legan	Levin	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Richardson	Ridgeway	Robirds	Ross
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Troupe	Tudor	Van Zandt
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Chrismer	Dougherty	Elliott	Gibbons	Harlan
King	Linton	O'Connor	Sallee	Stokan
Thompson				

VACANCIES: 001

Representative Luetkenhaus offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 922, Page 80, Section 169.569, Line 22, by inserting immediately after said line the following:

“476.450. 1. Any person having reached the age of sixty-five years and having in this state served an aggregate of twelve years, continuously or otherwise, as a judge or commissioner of the supreme court, or as a judge or commissioner of any of the courts of appeals, or as a circuit judge, or as a judge of a court of criminal correction, or as a judge of a court of common pleas, or either or both as judge or commissioner of any of said courts, and who shall have ceased to hold such office **prior to July 1, 1994**, by reason of the expiration of his term, or voluntary resignation or retirement by reason of having reached the age of seventy-five years, under section 25, article V, of the Constitution of Missouri, shall, if he so elects as hereinafter provided, be made, constituted and appointed a special commissioner or referee for and during the remainder of his life and shall, while he remains a resident of Missouri, be entitled to and shall receive as annual compensation, salary or retirement compensation during the remainder of his life a sum equal in amount to:

(1) **Until January 1, 2001**, one-half the salary or compensation provided for by law **for the office from which he has retired on the later of January 1, 1989, [for the] or the date they ceased to hold such office** [from which he has retired]:

(2) **On and after July 1, 2001, one-half the salary provided by law on July 1, 1994**, [except as follows:

(1) For the period from August 13, 1986, until January 1, 1988, the annual compensation, salary or retirement compensation shall equal forty percent of the salary or compensation provided by law on August 13, 1986, for the office from which he has retired;

(2) For the period January 1, 1988, through December 31, 1988, the annual compensation, salary or retirement compensation shall equal forty-five percent of the salary or compensation provided by law on January 1, 1988,] for the office from which he has retired.

2. A judge of the supreme court who ceased or ceases to hold office by reason of the expiration of his term, voluntary resignation, or retirement from the supreme court and who is sixty-five years of age or older and has served an aggregate of at least eight years or who is sixty years of age or older and has served an aggregate of at least twelve years, continuously or otherwise, as a judge of the supreme court may elect, before June 30, 1988, to be made, constituted and appointed a special commissioner or referee and shall receive as annual compensation, in lieu of the compensation provided by subsection 1 of this section, one-half of the salary or compensation provided by law at the time of such election under this subsection for the office from which he has retired.”; and

Further amend the title and enacting clause of said bill accordingly.

Speaker Gaw resumed the Chair.

Representative Luetkenhaus moved that **House Amendment No. 13** be adopted.

Which motion was defeated.

Representative Campbell offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 922, Page 69, Section 169.270, Lines 50-53, by deleting from said lines the following:

“In no event shall a person reported for federal tax purposes as an employee of a private, for-profit entity be deemed to be an employee eligible to participate in the retirement system established by section 169.280 with respect to such employment.”.

On motion of Representative Campbell, **House Amendment No. 14** was adopted.

Representative Troupe offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 922, Pages 11 and 12, Section 70.661, Lines 17 to 33, by deleting said lines and inserting in lieu thereof the following:

“(2) If the board finds that the member's death was the result of an accident that did not arise out of and in the course of his or her actual performance of duty as an employee, or that the member's death was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee, the requirement that the surviving spouse must have been married to the member for not less than two years immediately preceding the time of the member's death shall not apply.

3. If the board finds that the member's death was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee, then, other provisions of law to the contrary notwithstanding, for the purpose of computing the amount of the allowance payable under this section and for the purpose of determining eligibility under subsection 1 of this section, credited service shall include the period from the date of the member's death to the date he or she would have attained age sixty, or the date he or she would have acquired five years of credited service, if later.”.

On motion of Representative Troupe, **House Amendment No. 15** was adopted.

Representative Patek offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 922, Page 1, In the Title, Line 10, by inserting immediately after **"160.420,"** the following: **"169.075,"**; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word **"ninety"** and inserting in lieu thereof the word **"ninety-one"**; and

Further amend said bill, Page 1, Section A, Line 8, by inserting immediately after **"160.420,"** the following: **"169.075,"**; and

Further amend said bill, Page 2, Section A, Line 9, by deleting the word **"ninety"** and inserting in lieu thereof the word **"ninety-one"**; and

Further amend said bill, Page 1, Section A, Line 17, by inserting immediately after **"160.420,"** the following: **"169.075,"**; and

Further amend said bill, Page 67, Section 160.420, Line 32, by inserting immediately after said line the following:

"169.075. 1. Certain survivors specified in this section and meeting the requirements of this section may elect to forfeit any payments payable pursuant to subsection 3 or 5 of section 169.070 and to receive certain other benefits described in this section upon the death of a member prior to retirement, except retirement with disability benefits, whose period of creditable service in districts included in the retirement system is two years or more and who dies (a)

while teaching in a district included in the retirement system, or (b) as a result of an injury or sickness incurred while teaching in such a district and within one year of the commencement of such injury or sickness, or (c) while eligible for a disability retirement allowance hereunder.

2. Upon an election pursuant to subsection 1 of this section, a surviving spouse sixty years of age, or upon attainment of age sixty, or a surviving spouse who has been totally and permanently disabled for not less than five years immediately preceding the death of a member if designated as the sole beneficiary, and if married to the member at least three years, and if living with such member at the time of the member's death, shall be entitled to a monthly payment equal to twenty percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year of creditable service as a teacher in a district included in the retirement system until death or recovery prior to age sixty from the disability which qualified the spouse for the benefit, whichever first occurs; provided that the monthly payment shall not be less than five hundred seventy-five dollars or more than eight hundred sixty dollars. A surviving spouse, who is eligible for benefits pursuant to this subsection and also pursuant to subsection 3 of this section may receive benefits only pursuant to subsection 3 of this section as long as the surviving spouse remains eligible pursuant to both subsections, but shall not be disqualified for the benefit provided in this subsection because the surviving spouse may have received payments pursuant to subsection 3 of this section. **Beginning August 28, 2000, a surviving spouse who otherwise meets the requirements of this subsection but who remarried prior to August 28, 1995, shall be entitled, upon an election pursuant to subsection 1 of this section, to any remaining benefits that would otherwise have been received had the surviving spouse not remarried before the change in law permitting remarried surviving spouses to continue receiving benefits. Such surviving spouses may, upon application, become special consultants whose benefit will be to receive the remaining benefits described above. In no event shall any retroactive benefits be paid.**

3. Upon an election pursuant to subsection 1 of this section, a surviving spouse, if designated as the sole beneficiary, who has in the surviving spouse's care a dependent unmarried child, including a stepchild or adopted child, of the deceased member, under eighteen years of age, shall be entitled to a monthly payment equal to twenty percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year of creditable service as a teacher in a district included in the retirement system until the surviving spouse's death, or the first date when no such dependent unmarried child under age eighteen, or age twenty-four if the child is enrolled in school on a full-time basis, remains in the surviving spouse's care, whichever first occurs; provided that the monthly payment shall not be less than five hundred seventy-five dollars or more than eight hundred sixty dollars. In addition the surviving spouse shall be entitled to a monthly payment equal to one-half this amount, provided that the monthly payment shall not be less than three hundred dollars, for each such dependent unmarried child under eighteen years of age, or age twenty-four if the child is enrolled in school on a full-time basis, who remains in the surviving spouse's care. Further, in addition to the monthly payment to the surviving spouse as provided for in this subsection, each dependent unmarried child under the age of eighteen years of the deceased member not in the care of such surviving spouse shall be entitled to a monthly payment equal to one-half of the surviving spouse's monthly payment which shall be paid to the child's primary custodial parent or legal guardian; provided that the payment because of an unmarried dependent child shall be made until the child attains age twenty-four if the child is enrolled in school on a full-time basis; provided, however, that the total of all monthly payments to the surviving spouse, primary custodial parent or legal guardian, including payments for such dependent unmarried children, shall in no event exceed two thousand one hundred sixty dollars, the amount of the children's share to be allocated equally as to each dependent unmarried child eligible to receive payments pursuant to this subsection.

4. Upon an election pursuant to subsection 1 of this section if the designated beneficiary is a dependent unmarried child as defined in this section or automatically upon the death of a surviving spouse receiving benefits pursuant to subsection 3 of this section, each surviving dependent unmarried child, including a stepchild or adopted child, of the deceased member, under eighteen years of age, or such a child under age twenty-four if the child is enrolled in school on a full-time basis, shall be entitled to a monthly payment equal to sixteen and two-thirds percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year of creditable service as a teacher in a district included in the retirement system until death, marriage, adoption, or attainment of age eighteen or age twenty-four if enrolled in school on a full-time basis, whichever first occurs; provided that the monthly payment shall not be less than five hundred dollars or more than seven hundred twenty dollars, and provided further that any child of the deceased member who is disabled before attainment of age eighteen because of a physical or mental impairment which renders the child unable to engage in any substantial gainful activity and which disability continues after the child has attained age eighteen shall be entitled to a like monthly payment, until death, marriage, adoption, or recovery from the disability, whichever first occurs; provided, however, that the total of all monthly payments to the

surviving dependent unmarried children shall in no event exceed two thousand one hundred sixty dollars.

5. Upon an election pursuant to subsection 1 of this section, a surviving dependent parent of the deceased member, over sixty-five years of age or upon attainment of age sixty-five if designated as the sole beneficiary, provided such dependent parent was receiving at least one-half of the parent's support from such member at the time of the member's death and provided the parent files proof of such support within two years of such death, shall be entitled to a monthly payment equal to sixteen and two-thirds percent of one-twelfth of the annual salary rate on which the member contributed for the member's last full year as a teacher in a district included in the retirement system until death; provided that the monthly payment shall not be less than five hundred dollars or more than seven hundred twenty dollars. If the other parent also is a dependent, as defined in this section, the same amount shall be paid to each until death.

6. All else in this section to the contrary notwithstanding, a survivor may not be eligible to benefit pursuant to this section because of more than one terminated membership, and be it further provided that the board of trustees shall determine and decide all questions of doubt as to what constitutes dependency within the meaning of this section.

7. The provisions added to subsection 3 of this section in 1991[, other than the provisions increasing dollar limitations,] are intended to clarify the scope and meaning of this section as originally enacted and shall be applied in all cases in which such an election has occurred or will occur.

8. After July 1, 2000, all benefits payable pursuant to subsections 1 to 7 of this section shall be payable to eligible current and future survivor beneficiaries in accordance with this section.

9. The system shall pay a monthly retirement allowance for the month in which a retired member, beneficiary or survivor receiving a retirement allowance or survivor benefit dies."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Patek, **House Amendment No. 16** was adopted.

On motion of Representative Hagan-Harrell, **HCS SB 922, as amended**, was adopted.

On motion of Representative Hagan-Harrell, **HCS SB 922, as amended**, was read the third time and passed by the following vote:

AYES: 126

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Britt	Burton	Campbell
Champion	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Enz
Evans	Farnen	Fitzwater	Ford	Foster
Franklin	Froelker	Gambaro	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	McClelland
McKenna	Merideth	Miller	Murray	Myers
Naeger	Nordwald	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reinhart	Relford	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Troupe	Tudor	Vogel
Wagner	Ward	Williams 159	Wilson 25	Wright
Mr. Speaker				

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NOES: 024

Brooks	Chrismer	Days	Dougherty	Foley
Fraser	George	Gratz	Green	Hickey
Hohulin	May 108	Mays 50	McBride	McLuckie
Murphy	O'Connor	O'Toole	Ostmann	Reynolds
Schilling	Treadway	Van Zandt	Williams 121	

PRESENT: 002

Bartle	Reid
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ABSENT WITH LEAVE: 010

Bartelsmeyer	Bray 84	Elliott	Graham 24	Harlan
Monaco	Robirds	Stokan	Wiggins	Wilson 42

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Abel	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Britt	Brooks	Burton	Campbell
Champion	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Dolan	Elliott
Evans	Farnen	Fitzwater	Ford	Foster
Franklin	Froelker	Gambaro	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hartzler 123	Hartzler 124	Hendrickson	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
Overschmidt	Parker	Patek	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 026

Akin	Bartle	Bray 84	Chrismer	Days
Dougherty	Enz	Foley	Fraser	George
Green	Hanaway	Hegeman	Hickey	Hohulin
Howerton	McLuckie	Murphy	O'Connor	O'Toole
Ostmann	Phillips	Reynolds	Schilling	Van Zandt
Wright				

PRESENT: 003

Bartelsmeyer	Gratz	Riley
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ABSENT WITH LEAVE: 006

Graham 24	Harlan	Kasten	Liese	Lograsso
Stokan				

VACANCIES: 001

On motion of Representative Auer, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL - INFORMAL

HCS SCS SB 542, relating to public administrators, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SCS SB 542**.

Representative Shields offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 542, Page 6, Section 473.742, Line 20 of said page, by inserting after all of said line the following:

"5. Any public administrator in a county of the first classification without a charter form of government with a population of less than one hundred thousand inhabitants who elects to receive fees in lieu of a salary pursuant to this section may elect to join the Missouri local government employees' retirement system created pursuant to sections 70.600 to 70.755, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Shields, **House Amendment No. 1** was adopted.

On motion of Representative Hoppe, **HS HCS SCS SB 542, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS SCS SB 542, as amended**, was read the third time and passed by the following vote:

AYES: 144

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Froelker	Gambaro	Gaskill	George	Gibbons

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Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Leake	Legan	Levin	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Murray	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Vogel	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 002

Brooks	Lawson
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ABSENT WITH LEAVE: 016

Berkstresser	Boykins	Dougherty	Franklin	Fraser
Harlan	Hosmer	Lakin	Liese	Linton
Monaco	Murphy	O'Toole	Stokan	Tudor
Wagner				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Skaggs, title to the bill was agreed to.

Representative Leake moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1292**, entitled:

An act to repeal sections 375.017, 375.126, 375.1168, 375.1176, 375.1182 and 384.043, RSMo 1994, and sections 317.001, 375.1220, 376.1361 and 461.051, RSMo Supp. 1999, and to enact in lieu thereof thirteen new sections relating to insurance

With Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 6, Senate Substitute Amendment No. 1 for Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 1 to Senate Amendment No. 15, Senate Amendment No. 15, as amended

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 1292, Page 6, Section 375.1168, Line 6, by striking the words “**or to**” and inserting in lieu thereof the following: “**nor shall**”; and

Further amend said section, Line 7, by inserting immediately after the word “**receiving**” the following: “**substantial**”; and

Further amend said section, Line 8, by inserting immediately after the word “**assets**” the following:

“**be related within the second degree by blood or by marriage to the rehabilitation or special deputy rehabilitation**”; and

Further amend said section, Line 9, by inserting immediately after the word “**rehabilitation**” the following:

“**unless the court determines that such dual appointment will contribute to conserving the assets of the insurer**”; and

Further amend said bill, Page 7, Section 375.1168, Lines 34-36, by striking all of said lines and inserting in lieu thereof the following:

“**may prescribe, the court shall consider anticipated costs and benefits. The court may impose**”; and

Further amend said section, Lines 38-39, by striking all of said lines and inserting in lieu thereof the following:

“**the conservation of the insurer's assets.**”; and

Further amend said section, Line 43, by inserting immediately after the word “**rehabilitation**” the following:

“**unless an extended period for filing the plan is approved by the court**”; and

Further amend said bill, Page 8, Section 375.1168, Lines 62-65, by striking all of said lines and inserting in lieu thereof the following:

“**7. Any appeal by the rehabilitator to the court of appeals or the supreme court of a lower court opinion or order releasing the company in rehabilitation from that rehabilitation may be taken only if the rehabilitator and the attorney general both agree, after consultation, that an appeal is appropriate.**”; and

Further amend said bill, Page 9, Section 375.1176, Line 20, by striking the word “**and**” and inserting in lieu thereof the following: “**. The special deputy**”; and

Further amend said section, Line 21, by inserting immediately after the word “**insurer**” the following:

“**unless the court determines that such appointment will contribute to conserving the assets of the insurer**”; and

Further amend said bill, Page 11, Section 375.1182, Line 6, by striking the words “**or to**” and inserting in lieu thereof the following: “**nor shall**”; and

Further amend said section, Line 7, by inserting immediately after the word “**receiving**” the following: “**substantial**”; and

Further amend said section, Line 7, by inserting immediately after the word “**assets**” the following:

“**be related to within the second degree by blood or by marriage to the liquidator**”; and

Further amend said bill, Page 15, Section 375.1182, Lines 148-151, by striking all of said lines and inserting in lieu thereof the following:

“7. Any appeal by the liquidator to the court of appeals or the supreme court of a lower court's refusal to approve a petition to liquidate the company may be taken only if the liquidator and the attorney general both agree, after consultation, that an appeal is appropriate.”.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 1292, Page 1, Section A, Line 5, by inserting after all of said line the following:

“190.142. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license. The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Education and training requirements based on respective national curricula of the United States Department of Transportation and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) Initial licensure testing requirements;

(4) Continuing education and relicensure requirements; and

(5) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; [and]

(2) Ordered by a physician or set forth in protocols approved by the medical director; **and**

(3) In an emergency situation providing pre-hospital care, during emergency care in an emergency department of a health care facility, or inter-hospital and non-emergency transports notwithstanding other provisions of law.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. All patients transported in a supine position in a vehicle other than an ambulance shall receive an appropriate level of care. The department shall promulgate rules regarding the provisions of this section. This subsection shall only apply to vehicles transporting patients for a fee.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Bill No. 1292, Page 6, Section 375.017, Line 47, by inserting immediately after all of said line the following:

“5. Notwithstanding any other provision of law to the contrary, information regarding compensation of any private citizen except insurance receiverships contained within a statement required to be filed pursuant to section 376.350 or 379.105, RSMo, and records maintained pursuant to subdivision (2) of subsection 1 of section 374.085, RSMo, shall not be subject to disclosure to any person other than employees of the department.”.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 9*

AMEND Senate Committee Substitute for House Bill No. 1292, Page 20, Section 461.051, Line 20, by inserting after all of said line the following:

“Section 1. For the purposes of chapter 288, RSMo, a positive chemical test result for a controlled substance, as defined pursuant to section 195.010, RSMo, shall be deemed misconduct connected with work,”;
and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Committee Substitute for House Bill No. 1292, Page 3, Section 317.019, Line 10, by inserting after all of said line the following:

“320.094. 1. The state treasurer shall annually transfer an amount prescribed in subsection 2 of this section out of the state revenues derived from premium taxes levied on insurance companies pursuant to sections 148.310 to 148.461, RSMo, which are deposited by the director of revenue in the general revenue fund pursuant to section 148.330, RSMo, in a fund hereby created in the state treasury, to be known as the “Fire Education Fund”. Any interest earned from investment of moneys in the fund shall be credited to the fund. The state treasurer shall administer the fund, and the moneys in such fund shall be used solely as prescribed in this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fire education fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

2. Beginning July 1, [1998, three] **2000, five tenths of one** percent of the amount of premium taxes collected in the immediately preceding fiscal year pursuant to sections 148.310 to 148.461, RSMo, which are deposited in the general revenue fund [that exceeds the amount of premium taxes which were deposited in the general revenue fund in the 1997 fiscal year] shall be transferred from the general revenue fund to the credit of the fire education fund. [At the end of each fiscal year, the commissioner of administration shall determine the amount transferred to the credit of the fire education fund in each fiscal year by computing the premium taxes deposited in the general revenue fund in the prior fiscal year and comparing such amount to the amount of premium taxes deposited in the general revenue fund in the 1997 fiscal year.] An amount equal to [three] **five tenths of one** percent [of the increase] computed pursuant to this section shall be transferred by the state treasurer to the credit of the fire education fund; however, such transfer in any fiscal year shall not exceed one million five hundred thousand dollars **provided however that each fiscal year the first three hundred thousand dollars transferred to the fire education fund shall be utilized for fire education. The next five hundred thousand dollars shall be deposited into the fire district equipment fund established as a subaccount of the fire district education fund in this section. Any additional funds within the limit of one million five hundred thousand dollars as provided in this section shall be deposited into the fire education fund for fire education purposes.**

3. There is hereby established a special trust fund, to be known as the “Missouri Fire Education Trust Fund”, which shall consist of all moneys transferred to the fund from the fire education fund pursuant to this subsection and

any earnings resulting from the investment of moneys in the fund. Each fiscal year, an amount equal to forty percent of the moneys transferred to the fire education fund shall be transferred by the state treasurer to the credit of the Missouri fire education trust fund. The fund shall be administered by a board of trustees, consisting of the state treasurer, two members of the senate appointed by the president pro tem of the senate, two members of the house of representatives appointed by the speaker of the house, and two members appointed by the governor with the advice and consent of the senate. Any member appointed due to such person's membership in the senate or house of representatives shall serve only as long as such person holds the office referenced in this section. The state treasurer shall invest moneys in the fund in a manner as provided by law. Subject to appropriations, moneys in the fund shall be used solely for the purposes described in this section, but such appropriations shall be made only if the board recommends to the general assembly that such moneys are needed in that fiscal year to adequately fund the activities described in this section. Moneys shall accumulate in the trust fund until the earnings from investment of moneys in the fund can adequately support the activities described in this section, as determined by the board. At such time, the board may recommend that the general assembly adjust or eliminate the funding mechanism described in this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the Missouri fire education trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

4. The moneys in the fire education fund, after any distribution pursuant to subsection 3 of this section, shall be distributed to the University of Missouri Fire & Rescue Training Institute and the institute shall use the moneys received under this subsection to coordinate education needs in cooperation with community colleges, colleges, regional training facilities, and universities of this state and shall provide training and continuing education to firefighters in this state relating to fire department operations and the personal safety of firefighters while performing fire department activities. Programs and activities funded under this subsection must be approved by the Missouri fire education commission established in subsection 5 of this section. These funds shall primarily be used to provide field education throughout the state, with not more than two percent of funds under this subsection expended on administrative costs.

5. There is established the "Missouri Fire Education Commission", to be domiciled in the division of fire safety within the department of public safety. The commission shall be composed of five members appointed by the governor with the advice and consent of the senate, consisting of one firefighter serving as a volunteer of a volunteer fire protection association, one full-time firefighter employed by a recognized fire department or fire protection district, one firefighter training officer, one person serving as the chief of a volunteer fire protection association, and one chief fire officer from a recognized fire department or fire protection district. No more than three members appointed by the governor shall be of the same political party. The terms of office for the members appointed by the governor shall be four years and until their successors are selected and qualified, except that, of those first appointed, two shall have a term of four years, two shall have a term of three years and one shall have a term of two years. There is no limitation on the number of terms an appointed member may serve. The governor may appoint a member for the remaining portion of the unexpired term created by a vacancy. The governor may remove any appointed member for cause. The members shall at their initial meeting select a chairman. All members of the commission shall serve without compensation for their duties, but shall be reimbursed for necessary travel and other expenses incurred in the performance of their official duties. The commission shall meet at least quarterly at the call of the chairman and shall review and determine appropriate programs and activities for which funds may be expended under subsection 4 of this section.

6. (1) There is hereby established, as a subaccount of the fire education fund as established in this section, the "Fire District Equipment Fund", which shall be maintained and accounted for separately, and which shall consist of all moneys transferred pursuant to subsection 2 of this section and from all lawful public and private sources. Moneys in the subaccount shall be used to provide funds to fire protection districts and volunteer fire protection associations serving an area having a population of less than ten thousand. Moneys in the subaccount may be used only for purposes as are authorized by the Missouri Fire Education Commission and the Missouri Division of Fire Safety.

(2) The fire education training commission shall annually prepare an intended use plan for the funds available in the subaccount.

(3) The division of fire safety with approval by the fire education training commission may make direct grants to aid in funding equipment of any fire protection district or volunteer fire protection association as defined in this chapter with a population of less than ten thousand. The grants may be made to organizations with a population of less than ten thousand to assist in financing the purchase of fire equipment. Such grants may be made to supplement funds from loan proceeds or other private or public sources.

(4) Such organizations shall first apply with the division of fire safety for a grant. The division of fire safety shall make the necessary rules and regulations for the consideration and processing of all grant requests,

which shall generally conform to those used by federal grant and loan agencies, which rules shall be filed in the office of the secretary of state. The division of fire safety shall adopt rules necessary to implement the grant program established pursuant to this section. No rule or portion of a rule promulgated pursuant to this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo. Such rules shall contain, but shall not be limited to the following criteria:

- (a) The type of equipment requested by the fire protection district or volunteer fire protection association;
 - (b) The urgency and importance of such equipment to a district or association;
 - (c) The cost of the equipment requested by the fire district or volunteer fire protection association; and
 - (d) The financial resources of the fire district or volunteer fire protection association.
- (5) All grant determinations made by the division of fire safety shall be final.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Committee Substitute for House Bill No. 1292, Page 3, Section 335.018, Line 7, by inserting on said line after the word “nursing” the following:

“or criteria for certified medical technologist established by the Board of Healing Arts.”; and

Further amend said section, Page 3, Line 8, by inserting after “2” the following: “(A)”; and

Further amend said section, Page 3, Line 13, by inserting immediately after said line the following:

“2. (B) The Missouri Board of Healing Arts shall promulgate rules pursuant to chapter 536, RSMo, specifying which professional surgical technologist certificates will be recognized for registered surgical technologists.”.

Senate Amendment No. 12

AMEND Senate Committee Substitute for House Bill No. 1292, Page 3, Section 335.018, Line 19, by inserting immediately after said line the following:

“354.606. 1. **This act shall be known as the “Patient Freedom Act of 2000”.**

2. A health carrier shall establish a mechanism by which the participating provider shall be notified on an ongoing basis of the specific covered health services for which the provider shall be responsible, including any limitations or conditions on services.

[2.] 3. Every contract between a health carrier and a participating provider shall set forth a hold harmless provision specifying protection for enrollees. This requirement shall be met by including a provision substantially similar to the following:

“Provider agrees that in no event, including but not limited to nonpayment by the health carrier or intermediary, insolvency of the health carrier or intermediary, or breach of this agreement, shall the provider bill, charge, collect a deposit from, seek compensation, remuneration or reimbursement from, or have any recourse against an enrollee or a person, other than the health carrier or intermediary, acting on behalf of the enrollee for services provided pursuant to this agreement. This agreement shall not prohibit the provider from collecting coinsurance, deductibles or co-payments, as specifically provided in the evidence of coverage, or fees for uncovered services delivered on a fee-for-service basis to enrollees. This agreement shall not prohibit a provider, except for a health care professional who is employed full time on the staff of a health carrier and has agreed to provide service exclusively to that health carrier's enrollees and no others, and an enrollee from agreeing to continue services solely at the expense of the enrollee, as long as the provider has clearly informed the enrollee that the health carrier may not cover or continue to cover a specific service or services. Except as provided herein, this agreement does not prohibit the provider from pursuing any available legal remedy; including, but not limited to, collecting from any insurance carrier providing coverage to a covered person.”

[3.] 4. Every contract between a health carrier and a participating provider shall set forth that in the event of a health carrier's or intermediary's insolvency or other cessation of operations, covered services to enrollees shall continue

through the period for which a premium has been paid to the health carrier on behalf of the enrollee or until the enrollee's discharge from an inpatient facility, whichever time is greater.

[4.] **5.** The contract provisions satisfying the requirements of subsections [2 and] 3 **and 4** of this section shall:

(1) Be construed in favor of the enrollee;
 (2) Survive the termination of the contract regardless of the reason for termination, including the insolvency of the health carrier; and

(3) Supersede any oral or written contrary agreement between a provider and an enrollee or the representative of an enrollee if the contrary agreement is inconsistent with the hold harmless and continuation of covered services provisions required by subsections [2 and] 3 **and 4** of this section.

[5.] **6.** In no event shall a participating provider collect or attempt to collect from an enrollee any money owed to the provider by the health carrier nor shall a participating provider collect or attempt to collect from an enrollee any money in excess of the coinsurance, co-payments or deductibles. Failure of a health carrier to make timely payment of an amount owed to a provider in accordance with the provider's contract shall constitute an unfair claims settlement practice subject to sections 375.1000 to 375.1018, RSMo.

[6.] **7.** (1) A health carrier shall develop selection standards for participating primary care professionals and each participating health care professional specialty. Such standards shall be in writing and used in determining the selection of health care professionals by the health carrier, its intermediaries and any provider networks with which it contracts. Selection criteria shall not be established in a manner that will:

(a) Allow a health carrier to avoid a high-risk population by excluding a provider because such provider is located in a geographic area that contains a population presenting a risk of higher than average claims, losses or health services utilization; or

(b) Exclude a provider because such provider treats or specializes in treating a population presenting a risk of higher than average claims, losses or health services utilization; **or**

(c) Deny a health care professional the opportunity to become a participating provider if such health care professional satisfies all of the selection standards established by the health carrier, and if the health care professional is willing to accept the plan's operating terms and conditions, its schedule of fees, covered expenses, utilization regulations and quality standards.

(2) Paragraphs (a), [and] (b) **and (c)** of subdivision (1) of this subsection shall not be construed to prohibit a health carrier from declining to select a provider who fails to meet the other legitimate selection criteria of the health carrier developed in compliance with sections 354.600 to 354.636.

(3) The provisions of sections 354.600 to 354.636 shall not require a health carrier, its intermediaries or the provider networks with which it contracts, to employ specific providers or types of providers, or to contract with or retain more providers or types of providers than are necessary to maintain an adequate network.

[7.] **8.** A health carrier shall file its selection standards for participating providers with the director. A health carrier shall also file any subsequent changes to its selection standards with the director. The selection standards shall be made available to licensed health care providers.

[8.] **9.** A health carrier shall notify a participating provider of the provider's responsibilities with respect to the health carrier's applicable administrative policies and programs, including but not limited to payment terms, utilization review, quality assessment and improvement programs, credentialing, grievance procedures, data reporting requirements, confidentiality requirements and any applicable federal or state programs.

[9.] **10.** A health carrier shall not offer an inducement under the managed care plan to a provider to provide less than medically necessary services to an enrollee.

[10.] **11.** A health carrier shall not prohibit a participating provider from advocating in good faith on behalf of enrollees within the utilization review or grievance processes established by the health carrier or a person contracting with the health carrier.

[11.] **12.** A health carrier shall require a provider to make health records available to appropriate state and federal authorities involved in assessing the quality of care but shall not disclose individual identities, or investigating the grievances or complaints of enrollees, and to comply with the applicable state and federal laws related to the confidentiality of medical or health records.

[12.] **13.** The rights and responsibilities of a provider under a contract between a health carrier and a participating provider shall not be assigned or delegated by the provider without the prior written consent of the health carrier.

[13.] **14.** A health carrier shall be responsible for ensuring that a participating provider furnishes covered benefits to all enrollees without regard to the enrollee's enrollment in the plan as a private purchaser of the plan or as a participant in a publicly financed program of health care service.

[14.] **15.** A health carrier shall notify the participating providers of their obligations, if any, to collect applicable coinsurance, co-payments or deductibles from enrollees pursuant to the evidence of coverage, or of the providers' obligations, if any, to notify enrollees of their personal financial obligations for noncovered services.

[15.] **16.** A health carrier shall not penalize a provider because the provider, in good faith, reports to state or federal authorities any act or practice by the health carrier that may jeopardize patient health or welfare.

[16.] **17.** A health carrier shall establish a mechanism by which a participating provider may determine in a timely manner whether a person is covered by the carrier.

[17.] **18.** A health carrier shall not discriminate between health care professionals when selecting such professionals for enrollment in the network or when referring enrollees for health care services to be provided by such health care professional who is acting within the scope of his professional license.

[18.] **19.** A health carrier shall establish procedures for resolution of administrative, payment or other disputes between providers and the health carrier.

[19.] **20.** A contract between a health carrier and a provider shall not contain definitions or other provisions that conflict with the definitions or provisions contained in the managed care plan or sections 354.600 to 354.636.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND Senate Committee Substitute for House Bill No. 1292, Page 16, Section 375.1220, Line 38, by inserting after all of said line the following:

“376.1150. 1. Any new mandated health insurance coverage for specific health services, specific diseases or for certain providers of health care services approved by the general assembly shall apply only to the Missouri consolidated health care plan established in chapter 103, RSMo, for a period of at least one year beginning with the first anniversary date of the Missouri consolidated health care plan subsequent to the approval of the mandate by the general assembly. On or before March first, after the one-year period for which the mandate has been applied, the board of trustees of the Missouri consolidated health care plan shall submit to the president pro tem of the senate and the speaker of the house of representatives a report indicating the impact such mandated coverage has had on the Missouri consolidated health care plan, including data on the utilization and costs of such mandated coverage. Such report shall also include a recommendation on whether such mandated coverage should continue for the Missouri consolidated health care plan or whether additional utilization and cost data is required.

2. The general assembly shall periodically review all health insurance coverages mandated by state law.”;
and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1

to

Senate Amendment No. 15

AMEND Senate Amendment No. 15 to Senate Committee Substitute for House Bill No. 1292, Pages 2-3, Section 376.1408, Line 21, by deleting said section and inserting in lieu thereof the following:

“376.1408. 1. The department of insurance shall establish a task force to study standardized information for the explanation of benefits given to health care providers in order to determine the necessity of developing a standardized form. The task force shall consist of the following members:

- (1) Three health care providers;**
- (2) Three representatives from the insurance industry to include an individual carrier, a small group carrier, and a large group carrier;**
- (3) Three representatives from the business community to include at least one from a small business employing 3 to 25 persons and at least one from a large employer of 50 or more persons;**
- (4) One member from the general public;**

2. No member of the task force shall receive compensation for the performance of duties related task force but shall be reimbursed for reasonable and necessary expenses incurred in the performance of such duties;
3. The department of insurance shall have the task force established by January 1, 2003.”.

Senate Amendment No. 15

AMEND Senate Committee Substitute for House Bill No. 1292, Page 18, Section 376.1361, Line 1, by inserting immediately after said line the following:

“376.1405. 1. Every health insurance carrier offering policies of insurance in this state shall use the explanation of Medicare benefits Part B (EMOB) form for the explanation of benefits given to the health care provider whenever a claim is paid or denied. As used in this section, the term “health insurance carrier” shall have the meaning given to “health carrier” in section 376.1350. Nothing in this section shall apply to accident-only, specified disease, hospital indemnity, Medicare supplement, long-term care or other limited benefit health insurance policies.

2. All health insurance carriers shall use the explanation of Medicare benefits Part B (EMOB) form after January 1, 2002.

376.1406. 1. Every health care provider and health carrier that conducts business in this state by contract shall use a standardized form for referrals. The standardized referral form shall be used in lieu of any specific referral form developed by a health carrier for the referral process. As used in this section, the terms “health care provider” and “health carrier” shall have the meaning given to them in section 376.1350.

2. The referral form developed by the task force as established in section 376.1408 shall contain the following:

- (1) The name of the insured;
- (2) Place of employment;
- (3) The name, address and phone number of the health carrier;
- (4) The identification number and group number of the insured;
- (5) The type of referral;
- (6) The name, address and phone number of the health care provider referring the insured;
- (7) The name, address, and phone number of the health care provider of whom the insured was referred to;
- (8) The number of visits requested and authorized; and
- (9) The health carrier's authorization number.

3. All health care providers and health carriers shall use the standardized referral form after January 1, 2002.

376.1408. 1. The department of insurance shall establish a task force to develop the standardized forms required by section 376.1406. The task force shall meet for soliciting information to develop the standardized forms. The task force shall consist of the following members:

- (1) Three health care providers;
- (2) Three representatives from the insurance industry; and
- (3) Three members from the general public.

2. No member of the task force shall receive compensation for the performance of duties related to the task force but shall be reimbursed for reasonable and necessary expenses incurred in the performance of such duties.

3. The department of insurance shall have the task force established by January 1, 2001.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 4**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 10**.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Concurrent Resolution No. 10, Senate Journal, February 22, 2000, Page 294, Column 2, Line 46 of said column, by striking “**polices**” and inserting in lieu thereof the following: “**policies**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 22**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 27**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 29**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 34**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 26**.

Senate Concurrent Resolution No. 26

WHEREAS, the United States of America observes a "Mother's Day", a "Father's Day" and a "Grandparents Day"; and

WHEREAS, these special observances are also recognized each year in the great State of Missouri; and

WHEREAS, children, education, "Drug Free" programs and many other legislative programs designated for the benefit of children and teens are a priority for the members of this General Assembly and all Missourians; and

WHEREAS, many issues confronting young people today are a direct result of children not receiving enough affirmation, personal attention and quality time from adults and organizations; and

WHEREAS, September is a month now remembered by many for the lives and work and service on behalf of children of Mother Teresa and Princess Diana; and

WHEREAS, it is also the month many of our children return to school; a month in which organizations recognize children for growing older and passing into a higher instruction period of their lives; and

WHEREAS, it is fitting that we pause in our deliberations to designate a day in honor of our children:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate of the Ninetieth General Assembly, the House of Representatives concurring therein, hereby join unanimously in honoring the children of Missouri, by designating each third Saturday in September as "Children's Day" in Missouri; and

BE IT FURTHER RESOLVED, that Children's Day celebrations may vary with families, schools, churches, synagogues and other organizations, but affirming children and youth and quality time spent with children and youth should be an important part of "Children's Day".

BE IT FURTHER RESOLVED, that in designating this day in honor of our youth, we also strongly encourage other states, our country and other countries to designate the third Saturday in September as "Children's Day"; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution to the Governor.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 41**.

Senate Committee Substitute
for
Senate Concurrent Resolution No. 41

WHEREAS, for many years St. Louis has been known as the Gateway to the West; and

WHEREAS, in a city more than two hundred years old, there is a new spirit of revitalization that is focused on its historic core in Downtown; and

WHEREAS, this spirit of renewal is evident from the Gateway Arch with its Museum of Westbound Expansion through Laclede's Landing, to Union Station, Soulard and along Washington Avenue; and

WHEREAS, Downtown St. Louis is the largest employment center in the State of Missouri and the heart of the St. Louis Metropolitan Area; and

WHEREAS, Downtown St. Louis has gone through a period of decline with the loss of businesses, jobs and deteriorating buildings and public facilities, and is having to face the growth of many shopping centers in the surrounding areas; and

WHEREAS, over the years numerous plans have been offered to rejuvenate Downtown St. Louis:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, establish the Joint Interim Committee on the Revitalization of the City of St. Louis. The members shall consist of five state senators appointed by the President Pro Tem of the Senate and five state representatives appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that the Committee may solicit input from governmental and business leaders of the City of St. Louis; and

BE IT FURTHER RESOLVED that the Committee shall review and evaluate reports, studies and other information with respect to the revitalization of Downtown St. Louis; and

BE IT FURTHER RESOLVED that the Committee shall make an in-depth study and evaluation of the alternatives to finance the revitalization of Downtown St. Louis; and

BE IT FURTHER RESOLVED that the Committee shall prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the Governor and General Assembly by January 1, 2001; and

BE IT FURTHER RESOLVED that the expenses of legislative members and legislative staff shall be paid from the Joint Contingent Fund; and

BE IT FURTHER RESOLVED that the staff of Senate Research and House Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 42**.

Senate Concurrent Resolution No. 42

WHEREAS, the State of Missouri is fully committed to achieving and maintaining water quality for public use and recreation and the protection of aquatic ecosystems; and

WHEREAS, substantial progress has been made toward this objective through considerable financial investments made by municipal and industrial sectors of the economy and an effective federal, state and local partnership with the private sector; and

WHEREAS, the states' direct experience also demonstrates that achievement of water quality goals depends upon the use of sound science and quality data, an iterative approach to water quality management, a commitment to accommodating economic development, the careful investment of limited resources to maximize environmental benefits, and broad-based public support; and

WHEREAS, the states' direct experience also demonstrates that the remaining water quality challenges are complex, difficult, and site-specific, and require tailored solutions, better science, and monitoring data; and

WHEREAS, the State of Missouri has effective regulatory and cooperative programs underway that are achieving better and greater protection of water quality than can be achieved with the prescriptive federal approach; and

WHEREAS, Section 303(d) of the federal Clean Water Act pertaining to total maximum daily loads (TMDL) is but one of many tools states and local governments have to assure effective water quality management and is not always the most efficient and effective; and

WHEREAS, the forest products industry is one of the most important industries in Missouri providing over 36,000 jobs and contributes over 4 billion a year to Missouri's economy; and

WHEREAS, the private timberland owner, who owns 85 percent of the timberland in Missouri, has a good record of voluntary compliance with Missouri's Best Management Practices for timberland that are approved by the EPA and that comply with the Clean Water Act:

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, that the General Assembly strongly urges the Environmental Protection Agency to withdraw from consideration its proposed rules regarding the regulation of silviculture as a point source of the Clean Water Act; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the President of the Senate and the Speaker of the House of Representatives of Congress, the congressional delegation representing the State of Missouri in Congress of the United States, and the Administrator of the EPA as an expression of our sentiments on this vital issue.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 43**.

Senate Concurrent Resolution No. 43

WHEREAS, care for the disabled constitutes a vital service within the State of Missouri; and

WHEREAS, the delivery of care and other services to the disabled is a complex issue and deserving of organized study and review; and

WHEREAS, recent United States Supreme Court cases have dealt with the issue of delivering the appropriate care to the disabled:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on Care Options for the Disabled" to be composed of five members of the Senate, three of whom shall be members of the Senate Appropriations Committee and five members of the House of Representatives, three of whom shall be members of the House Appropriations Committee; and

BE IT FURTHER RESOLVED the committee shall make an in-depth study of the impact of Olmstead v. L.C. and E.W. on the disabled community and on the State of Missouri, including barriers to the implementation of changes required by the decision. The committee shall make such recommendations as it deems necessary and shall be authorized to function from August 1, 2000, to January 5, 2001; and

BE IT FURTHER RESOLVED that the President Pro Tem of the Senate and the Speaker of the House of Representatives shall appoint the members of the committee by July 1, 2000, and such committee shall meet within ten days of its establishment and organize by selecting a chairman and vice-chairman, one of whom shall be a member of the Senate and the other a member of the House of Representatives; and

BE IT FURTHER RESOLVED that the committee shall prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the Governor and the General Assembly by December 1, 2000; and

BE IT FURTHER RESOLVED that the staff of Senate Research and House Research and the Committee on Legislative Research shall provide such legal, clerical, technical and bill drafting services as the committee may require in the performance of its duties. The expenses of each staff shall be paid from the contingency fund of their respective departments; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor, the President Pro Tem of the Senate, and the Speaker of the House of Representatives.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 741, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 858, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SB 881, as amended**, and has taken up and passed **CCS HS HCS SB 881**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House conference on **HS HCS SB 896, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SB 896, as amended**: Senators Scott, Staples, Clay, Kenney and Klarich.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **HCS SB 944, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SB 944, as amended**: Senators Caskey, Maxwell, Howard, Bentley and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SB 961, as amended**: Senators Stoll, Maxwell, Jacob, Yeckel and Mueller.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SB 961, as amended**, and has taken up and passed **CCS HS SB 961**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HB 1808, as amended**, and has taken up and passed **CCS SS SCS HB 1808**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HBs 1677, 1675 & 1676**, entitled:

An act to repeal sections 455.085, 455.220 and 455.230, RSMo 1994, and sections 375.1312, 455.010, 455.045, 455.050, 455.205, 455.540, 455.543, 455.545 and 565.063, RSMo Supp. 1999, and to enact in lieu thereof eighteen new sections relating to domestic violence, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 5, Section 455.010, Line 27, by striking the words **“pursuant to sections 454.1200 to 454.1209, RSMo”**.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 4, Section 375.1312, Line 52, by inserting after the word **“affidavit”** the following:

“for the insurer”; and

Further amend said section, Page 4, Line 60, by inserting at the end of said line the following:

“An insurer making payment to an insured shall have all rights of subrogation to recover against the perpetrator of the loss.”

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 14, Section 491.073, Lines 1-4, by deleting all of said section; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 2, Section 43.505, Line 34, by inserting after all of said line the following:

“210.001. 1. The department of social services shall address the needs of homeless, dependent and neglected children in the supervision and custody of the division of family services and to their families-in-conflict by:

(1) Serving children and families as a unit in the least restrictive setting available and in close proximity to the family home, consistent with the best interests and special needs of the child;

(2) Insuring that appropriate social services are provided to the family unit both prior to the removal of the child from the home and after family reunification;

(3) Developing and implementing preventive and early intervention social services which have demonstrated the ability to delay or reduce the need for out-of-home placements and ameliorate problems before they become chronic.

2. The department of social services shall fund only regional child assessment centers known as:

(1) The St. Louis city child assessment center;

(2) The St. Louis County child assessment center;

(3) The Jackson County child assessment center;

- (4) The Buchanan County child assessment center;
- (5) The Greene County child assessment center;
- (6) The Boone County child assessment center;
- (7) The Joplin child assessment center; [and]
- (8) The St. Charles County child assessment center;
- (9) The Jefferson County child assessment center; and**
- (10) The Pettis County child assessment center.”; and**

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 12, Section 455.230, Line 24, by inserting after all of said line the following:

“455.300. 1. There is hereby established the "Missouri Domestic Violence Commission" within the department of public safety, to study solutions for domestic violence in Missouri. The commission shall be composed of the following members:

- (1) One judge of a juvenile court, who shall be appointed by the chief justice of the supreme court;**
- (2) One judge of a family court, who shall be appointed by the chief justice of the supreme court;**
- (3) Nine members of the general public, five of whom shall represent domestic violence providers and one of whom shall represent a state-wide coalition against domestic violence. All members shall serve for as long as they hold the position which made them eligible for appointment to the Missouri domestic violence commission under this subsection. All members shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.**

2. All meetings of the Missouri domestic violence commission shall be open to the public and shall, for all purposes, be deemed open public meetings under the provisions of sections 610.010 to 610.030, RSMo. The Missouri domestic violence commission shall meet no less than once every two months, and shall hold its first meeting no later than sixty days after January 1, 2001. Notice of all meetings of the commission shall be given to the general assembly in the same manner required for notifying the general public of meetings of the general assembly.

3. The Missouri domestic violence commission may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers.

4. The commission shall elect from amongst its members a chairman, vice chairman, a secretary-reporter, and such other officers as it deems necessary.

5. The services of the personnel of any agency from which the director or deputy director is a member of the commission shall be made available to the commission at the discretion of such director or deputy director. All meetings of the commission shall be held in the state of Missouri.

6. The commission, by majority vote, may invite individuals representing local and federal agencies or private organizations and the general public to serve as ex officio members of the commission. Such individuals shall not have a vote in commission business and shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

455.305. 1. Beginning in 2001, the department of social services and the Missouri domestic violence commission established pursuant to this chapter, shall establish and administer up to twenty domestic violence intervention/rehabilitation pilot projects. Such projects shall operate as satellite projects through existing domestic violence prevention facilities where no such facilities exist for the following purposes:

- (1) To implement, expand, and establish cooperative efforts between law enforcement officers, prosecutors, victim advocacy groups, and other related parties to investigate and prosecute incidents of domestic violence;**
- (2) To prevent domestic violence and provide immediate shelter for victims of domestic violence;**
- (3) To provide treatment and counseling to victims of domestic violence; and**
- (4) To work in cooperation with the community to develop education and prevention strategies regarding domestic violence.**

2. Funding for the pilot programs shall be subject to appropriation.

3. The department and the commission shall promulgate rules and regulations, pursuant to chapter 536, RSMo, to implement, administer, and monitor the pilot projects. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

4. Beginning in 2001, the department and the commission shall submit an annual report of its activities to the speaker of the house of representatives, the president pro tem of the senate, and the governor before December thirty-first of each year.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 2, Section 43.505, Lines 24-26, by striking all of said lines and inserting in lieu thereof the following:

“(6) Establish such rules and regulations as are necessary for implementing the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.”.

Senate Amendment No. 9

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 6, Section 455.050, Line 9, by striking the word “or” as it appears the first time in the line and insert a comma “,” after the word “leased” and insert the words “or occupied” after the word “rented”; and amend line 10, by striking the word “or” after the word “leased” and insert the words “or occupied” after the word “rented”.

Senate Amendment No. 10

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1677, 1675 & 1676, Page 14, Section 565.063, Lines 12-13, by deleting all the boldface language; and

Further amend said bill, Page 16, Section 565.072, Line 3, by inserting after the word “member” the following:

“or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor”; and

Further amend said bill, Page 16, Section 565.073, Line 2, by inserting after the word “member” the following:

“or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor”; and

Further amend said bill and page, Section 565.074, Line 2, by inserting after the word “**member**” the following:

“**or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 577, as amended**, and has taken up and passed **HCS SS SCS SB 577, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1848**, and has taken up and passed **CCS SCS HB 1848**.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1292, as amended, relating to health insurance, was taken up by Representative Auer.

Representative Auer moved that the House refuse to adopt **SCS HB 1292, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HS HCS SB 858, as amended, relating to sunshine law, was taken up by Representative Smith.

Representative Smith moved that the House refuse to recede from its position on **HS HCS SB 858, as amended**, and grant the Senate a conference.

Which motion was adopted.

BILL IN CONFERENCE

CCR HS HCS SB 881, as amended, relating to mass transportation fund, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **CCR HS HCS SB 881, as amended**, was adopted by the following vote:

AYES: 095

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Bray 84	Britt	Brooks
Burton	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Farnen	Fitzwater	Foley	Fraser	Gambaro
George	Graham 106	Graham 24	Gratz	Green

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Griesheimer	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kennedy	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Liese	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Ransdall	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Seigfreid
Selby	Skaggs	Smith	Thompson	Treadway
Tudor	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 065

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Boykins	Champion	Chrismer	Cierpiot
Crawford	Elliott	Enz	Evans	Ford
Foster	Froelker	Gaskill	Gibbons	Gross
Gunn	Hanaway	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kasten	Kelley 47	King
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	Miller	Murphy	Myers
Naeger	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Ridgeway	Schwab
Scott	Secrest	Shelton	Shields	Summers
Surface	Townley	Troupe	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 002

Franklin Stokan

VACANCIES: 001

On motion of Representative Hoppe, **CCS HS HCS SB 881** was truly agreed to and finally passed by the following vote:

AYES: 112

Abel	Alter	Auer	Backer	Barry 100
Bartle	Berkowitz	Berkstresser	Black	Bonner
Boucher 48	Bray 84	Britt	Brooks	Burton
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Farnen
Fitzwater	Foley	Ford	Fraser	Froelker
Gambara	George	Graham 106	Graham 24	Gratz
Green	Griesheimer	Hagan-Harrell	Hampton	Hartzler 123
Hartzler 124	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Liese	Long	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Ransdall	Reinhart	Relford
Reynolds	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Seigfreid
Selby	Shields	Skaggs	Smith	Thompson
Townley	Treadway	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 041

Akin	Ballard	Bartelsmeyer	Bennett	Blunt
Boatright	Boykins	Champion	Chrismer	Cierpiot
Crawford	Enz	Evans	Foster	Gaskill
Gibbons	Gross	Gunn	Hanaway	Hendrickson
Hohulin	Legan	Levin	Linton	Lograsso
Loudon	Murphy	Naeger	Patek	Phillips
Pouche 30	Pryor	Reid	Richardson	Ridgeway
Scott	Secrest	Shelton	Summers	Surface
Troupe				

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnett	Elliott	Franklin	Harlan	McClelland
Purgason	Stokan	Van Zandt	Wright	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Kissell moved that motion lay on the table.

The latter motion prevailed.

BILL CARRYING REQUEST MESSAGE

HCS SB 741, as amended, relating to water pollution control, was taken up by Representative Backer.

Representative Backer moved that the House refuse to recede from its position on **HCS SB 741, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SB 741: Representatives Backer, Wiggins, Relford, Legan and Long

HS HCS SB 896: Representatives May (108), Liese, Kreider, Luetkemeyer and Hartzler (123)

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 944: Representatives Smith, Davis (122), Hollingsworth, McClelland and Patek

SENATE BILL FOR THIRD READING

HCS SB 724, relating to tourism tax, was taken up by Representative Farnen.

Representative Farnen offered **HS HCS SB 724**.

Representative Graham (24) offered **House Amendment No. 1**.

Representative Farnen raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Kissell offered **House Amendment No. 1**.

Representative Farnen raised a point of order that **House Amendment No. 1** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Farnen, **HS HCS SB 724** was adopted.

On motion of Representative Farnen, **HS HCS SB 724** was read the third time and passed by the following vote:

AYES: 138

Abel	Auer	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Burton
Champion	Chrismer	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Farnen	Fitzwater	Foley
Ford	Foster	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Long	Luetkemeyer	Luetkenhaus	Marble
May 108	Merideth	McBride	McClelland	McKenna
McLuckie		Miller	Monaco	Murray

Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 014

Akin	Alter	Cierpiot	Enz	Evans
Hanaway	Hendrickson	Hohulin	Linton	Lograsso
Loudon	Murphy	Reid	Ridgeway	

PRESENT: 001

Campbell

ABSENT WITH LEAVE: 009

Brooks	Franklin	Hosmer	Leake	Robirds
Stokan	Wiggins	Williams 121	Wright	

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 122

Akin	Alter	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Britt	Burton	Champion	Chrismer
Cierpiot	Crawford	Crump	Davis 122	Days
Dolan	Elliott	Enz	Evans	Farnen
Foley	Foster	Fraser	Froelker	Gambaro
Gaskill	Gibbons	Graham 106	Gratz	Griesheimer
Gross	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hilgemann
Holand	Hoppe	Howerton	Kasten	Kelley 47
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reinhart	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Skaggs	Summers	Surface	Thompson
Townley	Tudor	Vogel	Ward	Williams 159
Wright	Mr. Speaker			

NOES: 033

Abel	Auer	Barry 100	Bray 84	Brooks
Campbell	Clayton	Curls	Davis 63	Dougherty
Fitzwater	Ford	George	Graham 24	Green
Gunn	Hickey	Hohulin	Hollingsworth	Kelly 27

O'Connor	Reid	Relford	Scheve	Schilling
Selby	Smith	Treadway	Van Zandt	Wagner
Williams 121	Wilson 25	Wilson 42		

PRESENT: 000

ABSENT WITH LEAVE: 007

Franklin	Hosmer	Lograsso	McLuckie	Stokan
Troupe	Wiggins			

VACANCIES: 001

On motion of Representative Parker, title to the bill was agreed to.

Representative Hampton moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HS HCS HBs 1677, 1675 & 1676, as amended, relating to domestic violence, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **SCS HS HCS HBs 1677, 1675 & 1676, as amended**, was adopted by the following vote:

AYES: 106

Abel	Auer	Backer	Barry 100	Bennett
Berkowitz	Berkstresser	Black	Boatright	Boucher 48
Boykins	Bray 84	Britt	Brooks	Campbell
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Evans
Farnen	Fitzwater	Foley	Fraser	Gambara
Gibbons	Graham 106	Graham 24	Gratz	Green
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Kasten	Kelley 47	Kelly 27	Kennedy
Kissell	Klindt	Kreider	Lakin	Lawson
Legan	Liese	Linton	Lograsso	Long
Luetkenhaus	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Riley	Rizzo	Ross	Sallee	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 039

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Burton	Champion	Chrismer	Cierpiot
Enz	Foster	Gaskill	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	King

Levin	Loudon	Luetkemeyer	Murphy	Myers
Nordwald	Pryor	Purgason	Ridgeway	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 017

Blunt	Bonner	Elliott	Ford	Franklin
Froelker	George	Griesheimer	Howerton	Koller
Leake	Marble	May 108	Robirds	Scheve
Stokan	Wiggins			

VACANCIES: 001

Representative Riback Wilson (25) requested verification of the roll call on the adoption of **SCS HS HCS HBs 1677, 1675 & 1676, as amended.**

On motion of Representative Riback Wilson (25), **SCS HS HCS HBs 1677, 1675 & 1676, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Enz	Evans	Farnen	Fitzwater
Foley	Foster	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Wagner	Ward	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 012

Elliott
Koller
Vogel

Ford
O'Connor
Wiggins

Franklin
Parker

Froelker
Skaggs

Harlan
Stokan

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Ransdall, title to the bill was agreed to.

Representative Lawson moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

Representative Naeger requested verification of the roll call on the motion to truly agree and finally pass **SCS HS HCS HBs 1677, 1675 & 1676, as amended.**

THIRD READING OF SENATE BILL

SB 1053, relating to profiling, was taken up by Representative Days.

Representative Days offered **HS SB 1053**.

Representative Kissell offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for Senate Bill No. 1053, Page 2, Section 590.650, Line 16, by inserting after the word "**citation**" the words "**and report**".

On motion of Representative Kissell, **House Amendment No. 1** was adopted.

Representative Hampton offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for Senate Bill No. 1053, Page 2, Section 590.650, Line 14 of said page, by inserting after all of said line the following:

"11. The state shall provide all funds necessary to implement the provisions of this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hampton moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Akin	Alter	Ballard	Barnett	Bartle
Bennett	Berkstresser	Blunt	Boatright	Bonner
Burton	Chrismer	Crawford	Dolan	Enz
Evans	Foster	Froelker	Gibbons	Graham 106
Gratz	Griesheimer	Gross	Hampton	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kelley 47	Kissell	Klindt	Legan	Levin
Linton	Lograsso	Loudon	Luetkenhaus	Marble
McBride	McClelland	Miller	Naeger	Ostmann
Phillips	Pouche 30	Pryor	Purgason	Reinhart
Richardson	Ridgeway	Robirds	Schwab	Secrest
Selby	Shields	Surface	Vogel	Williams 159

NOES: 086

Abel	Auer	Backer	Barry 100	Berkowitz
Black	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Cierpiot	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Fraser	Gambaro	George
Graham 24	Green	Gunn	Hagan-Harrell	Hanaway
Harlan	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Kasten	Kelly 27	Kennedy	King
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkemeyer	May 108	Mays 50	McKenna
McLuckie	Merideth	Murphy	Murray	Myers
O'Connor	Overschmidt	Parker	Patek	Ransdall
Reid	Relford	Reynolds	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Seigfreid
Shelton	Skaggs	Smith	Summers	Thompson
Treadway	Troupe	Tudor	Van Zandt	Wagner
Ward	Williams 121	Wilson 25	Wilson 42	Wright

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 016

Bartelsmeyer	Champion	Clayton	Crump	Elliott
Franklin	Gaskill	Hosmer	Long	Monaco
Nordwald	O'Toole	Scott	Stokan	Townley
Wiggins				

VACANCIES: 001

Representative Reid requested a division of the question on **HS SB 1053, as amended.**

Representative Hosmer offered **House Amendment No. 1 to Part I of HS SB 1053.**

House Amendment No. 1 to Part I of HS SB 1053 was withdrawn.

Representative Dolan offered **House Amendment No. 1 to Part I of HS SB 1053.**

*House Amendment No. 1
to
Part I*

AMEND Part I of House Substitute for Senate Bill No. 1053, Page 1, Section 590.650, Lines 7 to 16 of said page, by deleting all of said lines; and

Further amend said bill, Page 2, Section 590.650, Lines 2 to 24 of said page, by deleting all of said lines; and

Further amend said bill, Page 3, Section 590.650, Lines 2 to 17 of said page, by deleting all of said lines.

Representative Dolan moved that **House Amendment No. 1 to Part I of HS SB 1053** be adopted.

Which motion was defeated.

Representative Pouche offered **House Amendment No. 2 to Part I of HS SB 1053**.

*House Amendment No. 2
to
Part I*

AMEND House Substitute for Senate Bill No. 1053, Page 2, Section 590.650, Line 13, by deleting the word “**and**”; and

Further amend said section, Line 14, by deleting the word “**stop.**” and inserting in lieu thereof the following:

**“stop; and
(11) the race of the peace officer involved”.**

Representative Pouche moved that **House Amendment No. 2 to Part I of HS SB 1053** be adopted.

Which motion was defeated.

On motion of Representative Days, **Part I of HS SB 1053, as amended**, was adopted.

Representative Froelker offered **House Amendment No. 1 to Part II of HS SB 1053**.

*House Amendment No. 1
to
Part II*

AMEND Part II of House Substitute for Senate Bill No. 1053, Page 4, Section 590.650, Line 17, by inserting after all of said line the following:

"The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, non-combative methods of carrying out law enforcement duties in a racially and culturally diverse environment."

On motion of Representative Froelker, **House Amendment No. 1 to Part II of HS SB 1053** was adopted.

Representative Riley offered **House Amendment No. 2 to Part II of HS SB 1053**.

*House Amendment No. 2
to
Part II*

AMEND Part II of House Substitute for Senate Bill No. 1053, Page 4, Section 590.650, Line 5, by deleting the word “**residing**” and inserting in lieu thereof the word “**traveling**”.

On motion of Representative Riley, **House Amendment No. 2 to Part II of HS SB 1053** was adopted.

Representative Gunn offered **House Amendment No. 3 to Part II of HS SB 1053**.

Representative Days raised a point of order that **House Amendment No. 3 to Part II of HS SB 1053** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

House Amendment No. 3 to Part II of HS SB 1053 was withdrawn.

On motion of Representative Days, **Part II of HS SB 1053, as amended**, was adopted.

Representative Gunn offered **House Amendment No. 1 to Part III of HS SB 1053**.

*House Amendment No. 1
to
Part III*

AMEND Part III of House Substitute for Senate Bill No. 1053, Page 4, Section 590.650, Line 24 of said page, by inserting after all of said line the following:

"590.653. 1. Each county and city not within a county may establish a civilian review board, or may use an existing civilian review board which has been appointed by the local governing body, with the authority to investigate allegations of misconduct by local law enforcement officers towards members of the public. The members shall not receive compensation but shall receive reimbursement from the local governing body for all reasonable and necessary expenses.

2. The board shall have the power to receive, investigate, make findings and recommend disciplinary action upon complaints by members of the public against members of the police department that allege misconduct involving excessive use of force, abuse of authority, discourtesy, or use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and disability. The findings and recommendations of the board, and the basis therefor, shall be submitted to the chief law enforcement official. No finding or recommendation shall be based solely upon an unsworn complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be the basis for any such findings or recommendations."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Kissell offered **House Amendment No. 1 to House Amendment No. 1 to Part III of HS SB 1053**.

Representative Days raised a point of order that **House Amendment No. 1 to House Amendment No. 1 to Part III of HS SB 1053** is in the third degree.

The Chair ruled the point of order well taken.

On motion of Representative Gunn, **House Amendment No. 1 to Part III of HS SB 1053** was adopted.

Representative Riley offered **House Amendment No. 2 to Part III of HS SB 1053**.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 2 to Part III of HS SB 1053**.

House Substitute Amendment No. 1 for House Amendment No. 2 to Part III of HS SB 1053 was withdrawn.

House Amendment No. 2 to Part III of HS SB 1053 was withdrawn.

Representative Kissell offered **House Amendment No. 2 to Part III of HS SB 1053**.

Representative Gambaro raised a point of order that **House Amendment No. 2 to Part III of HS SB 1053** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Days, **Part III of HS SB 1053, as amended**, was adopted.

On motion of Representative Days, **HS SB 1053, as amended**, was read the third time and passed by the following vote:

AYES: 143

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	Kissell	Klindt	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Lograsso	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Patek	Phillips	Pouche 30

Pryor	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Alter	Dolan	Griesheimer
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PRESENT: 000

ABSENT WITH LEAVE: 016

Clayton	Franklin	Hohulin	Kasten	King
Lawson	Linton	Long	Nordwald	Parker
Purgason	Richardson	Stokan	Surface	Townley
Wiggins				

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Ward moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **CCR HCS SS SB 813, as amended**, and requests the House grant the Senate further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 741, as amended**: Senators Maxwell, Quick, Goode, Flotron and Yeckel.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SB 858, as amended**: Senators Maxwell, Quick, Clay, Rohrbach and Ehlmann.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1742, as amended**, and has taken up and passed **CCS SCS HS HCS HB 1742**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1292, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Jacob, Clay, Carter, Mueller and Sims.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HB 1292: Representatives Auer, Gunn, Liese, Elliott and Surface

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE BILL NO. 813

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Substitute for Senate Bill No. 813, with House Amendment Nos. 1, 3, 4, 5, 6, 7, House Substitute Amendment No. 2 for House Amendment No. 8, House Amendment No. 9, House Amendment No. 1 to House Amendment No. 10 and House Amendment No. 10, as amended, House Amendment Nos. 11, 12 and 13, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 813, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 813;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 813 be adopted.

FOR THE HOUSE:

/s/ Don Kissell
/s/ Phillip Britt
/s/ Steve McLuckie
/s/ Jon Dolan
/s/ Rex Barnett

FOR THE SENATE:

/s/ Ted House
/s/ William Clay
/s/ Stephen Stoll
/s/ Sarah Steelman
/s/ David Klarich

CONFERENCE COMMITTEE REPORT NO. 2

ON

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 944

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Bill No. 944, with House Amendment Nos. 1, 2, 3, 4, 5, 6, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendment Nos. 8, 9, 11, 13, 14 and 15, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 944, as amended;
2. That the Senate recede from its position on Senate Bill No. 944; and
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 944 be adopted.

FOR THE HOUSE:

/s/ Phil Smith
/s/ D. J. Davis
/s/ Kate Hollingsworth
/s/ Emmy McClelland
/s/ Jewell Patek

FOR THE SENATE:

/s/ Harold Caskey
/s/ Joe Maxwell
/s/ Jerry Howard
/s/ Roseann Bentley
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1948**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Bill No. 1948, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1948;
2. That the House recede from its position on House Bill No. 1948;
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ Bill Gratz
/s/ Don Koller
/s/ Vicky Hartzler
/s/ Bill Ransdall
/s/ Gary Marble

FOR THE SENATE:

/s/ Danny Staples
/s/ James Mathewson
/s/ John Scott
/s/ Doyle Childers
/s/ Morris Westfall

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
SENATE BILL NO. 961**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for Senate Bill No. 961, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Bill No. 961, as amended;
2. That the Senate recede from its position on Senate Bill No. 961;
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ Bill Ransdall
/s/ Bill Boucher
/s/ Dan Ward
/s/ Jon Dolan
/s/ Carson Ross

FOR THE SENATE:

/s/ Steve Stoll
/s/ Joe Maxwell
/s/ Ken Jacob
/s/ Walt Mueller
/s/ Anita Yeckel

CONFERENCE COMMITTEE REPORT NO. 3
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 944

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Bill No. 944, with House Amendment Nos. 1, 2, 3, 4, 5, 6, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendment Nos. 8, 9, 11, 13, 14 and 15, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 944, as amended;
2. That the Senate recede from its position on Senate Bill No. 944; and
3. That the attached Conference Committee Amendment No. 1 be adopted; and
4. That the attached Conference Committee Substitute No. 3 for House Committee Substitute for Senate Bill No. 944 be adopted, as amended by Conference Committee Amendment No. 1.

FOR THE HOUSE:

/s/ Phil Smith
/s/ D. J. Davis
/s/ Kate Hollingsworth
/s/ Emmy McClelland

FOR THE SENATE:

/s/ Harold Caskey
/s/ Joe Maxwell
/s/ Jerry Howard
/s/ Roseann Bentley
/s/ Morris Westfall

Conference Committee Amendment No. 1

AMEND Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 944, Page 76, Section 571.030, Lines 21-22 of said page, by striking all of said lines and inserting in lieu thereof the following: "**school board.**"; and

Further amend said bill, Page 78, Section 571.030, Line 14 of said page, by striking the period "." on said line and inserting in lieu thereof the following:

", or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event.

4. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board."; and

Further amend said bill, Page 78, Section 571.030, Line 15 of said page, by striking the numeral "4." and inserting in lieu thereof the numeral "5."; and

Further amend said bill, Page 78, Section 571.030, Line 25 of said page, by striking the numeral "5." and inserting in lieu thereof the numeral "6."; and

Further amend said bill, Page 79, Section 571.030, Line 17 of said page, by striking the numeral "6." and inserting in lieu thereof the numeral "7."

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HR 1250**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 1250

WHEREAS, the premium for health insurance for retirees of the Missouri State Employees' Retirement System was subsidized by the state at a rate of thirty-four percent from 1995-1999, and is currently subsidized by the state at a rate of forty-seven percent; and

WHEREAS, while this percentage is an improvement over previous years, retired state employees are rightly concerned that no requirements mandate a particular level of subsidy, therefore making their health care costs subject to yearly appropriations; and

WHEREAS, the older retirees, particularly those retirees with a lower average salary, bear a greater burden of their health insurance costs than active employees or younger retirees; and

WHEREAS, a more vigorous system of health care contributions for state employees would promote the goals of the Governor's Ad Hoc Task Force on Total Compensation; and

WHEREAS, the Governor's Task Force on Total Compensation and the Commission on Management and Productivity has not aggressively addressed the issue of health care programs which is necessitating the need to enact legislation in the absence of administrative action:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri House of Representatives, Ninetieth General Assembly, Second Regular Session, that a House Interim Committee on Health Care Contributions for State Employees be created to develop legislation to relieve retirees of their justified concerns over the cost of their health care as it relates to their overall benefit package as retired state employees; and

BE IT FURTHER RESOLVED that the committee be comprised of five members to be appointed by the Speaker of the House of Representatives, with three members from the Democratic Party and two members from the Republican Party; and

BE IT FURTHER RESOLVED that the committee be authorized to hold hearings and investigations as it deems advisable, and that the staff of House Research and the Committee on Legislative Research provide any technical or clerical assistance requested by the committee and the members of the committee shall receive reimbursement for their actual and necessary expenses incurred in the performance of their official duties for the committee; and

BE IT FURTHER RESOLVED that the committee reports its recommendations and findings to the Speaker of the House of Representatives by December 15, 2000.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 763 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m, Wednesday, May 10, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-eighth Day, Monday, May 8, 2000, pages 1412 and 1413, roll call, by showing Representative Boucher voting "aye" rather than "absent with leave".

Pages 1412 and 1413, roll call, by showing Representative Summers voting "no" rather than "absent with leave".

Pages 1414 and 1415, roll call, by showing Representatives Boucher and Hosmer voting "aye" rather than "absent with leave".

Pages 1415 and 1416, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Pages 1417 and 1418, roll call, by showing Representatives Crawford, Hosmer and Patek voting "aye" rather than "absent with leave".

Pages 1418 and 1419, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 1422, roll call, by showing Representative Tudor voting "aye" rather than "absent with leave".

Page 1424, roll call, by showing Representative Riback Wilson (25) voting "aye" rather than "no".

Page 1424, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Page 1425, roll call, by showing Representative Riback Wilson (25) voting "no" rather than "aye".

Page 1425, roll call, by showing Representatives Barry and Franklin voting "aye" rather than "absent with leave".

Pages 1432 and 1433, roll call, by showing Representatives Kennedy and Wright voting "aye" rather than "absent with leave".

Pages 1433 and 1434, roll call, by showing Representative Lakin voting "aye" rather than "absent with leave".

Pages 1435 and 1436, roll call, by showing Representatives Bennett, Franklin and Liese voting "no" rather than "absent with leave".

Page 1439, roll call, by showing Representatives Barry and Howerton voting "aye" rather than "absent with leave".

Page 1439, roll call, by showing Representative Hollingsworth voting "no" rather than "absent with leave".

Pages 1440 and 1441, roll call, by showing Representatives Barry and Hollingsworth voting "no" rather than "absent with leave".

Pages 1443 and 1444, roll call, by showing Representative Lakin voting "aye" rather than "absent with leave".

Pages 1447 and 1448, roll call, by showing Representatives Bennett, Kennedy, Lakin, Levin and Scott voting "aye" rather than "absent with leave".

Pages 1451 and 1452, roll call, by showing Representative Scott voting "aye" rather than "absent with leave".

Page 1458, roll call, by showing Representative Franklin voting "no" rather than "absent with leave".

Pages 1459 and 1460, roll call, by showing Representative King voting "no" rather than "absent with leave".

Page 1484, roll call, by showing Representatives McKenna and Parker voting "no" rather than "absent with leave".

Page 1485, roll call, by showing Representatives Hickey, Kissell, Long, McKenna and Robirds voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

FISCAL REVIEW

Wednesday, May 10, 2000, 9:00 am. Hearing Room 4.

Executive Session. (Fiscal Note).

To be considered - SB 926

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 10, 2000, 9:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HR 1541, SCR 44

HOUSE CALENDAR

SEVENTIETH DAY, WEDNESDAY, MAY 10, 2000

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 45, HCA 1 - Scheve
- 3 HJR 51 - Clayton

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HB 2102 - Hampton
- 3 HB 1066, HCA 1 - Riback Wilson (25)
- 4 HB 1280 - Clayton
- 5 HB 1502 - Smith
- 6 HCS HB 1547 - Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 8 HB 1546 - Smith
- 9 HCS HB 1606 - Bray
- 10 HCS HB 1225 - Hosmer
- 11 HCS HB 1540 - Green
- 12 HCS HB 1942 - Liese
- 13 HCS HB 1578 - Shelton
- 14 HB 2056 - Gunn
- 15 HCS HB 1718 - Smith
- 16 HCS HB 1966 - Hosmer
- 17 HCS HB 1997 - Smith
- 18 HCS HB 1336 - Lakin
- 19 HCS HB 1780 - Liese
- 20 HCS HB 1816 - Hosmer
- 21 HCS HB 1357 - Bonner
- 22 HB 1872 - Seigfreid
- 23 HCS HB 1674 - Graham (24)

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- 24 HCS HB 1154 - Boucher
- 25 HCS HB 2114 - Hoppe
- 26 HCS HB 1649 - Williams (121)
- 27 HB 1216 - Kelly (27)
- 28 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1602, as amended - Leake
- 2 HB 1712 - McKenna
- 3 HS HB 1394, as amended - Murray

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING
HCR 31, (5-1-00, pg. 1158) - Hollingsworth

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

- 1 SCR 26
- 2 SCS SCR 41
- 3 SCR 42
- 4 SCR 43

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 39, (4-13-00, pg. 953) - Clayton
- 2 HCS SCR 37, (5-8-00, pg. 1493) - Williams (159)

SENATE JOINT RESOLUTION FOR THIRD READING

SJR 50 - Scheve

SENATE BILLS FOR THIRD READING

- 1 HCS SB 936, E.C. - Bray
- 2 HCS SS SCS SB 763 - Kissell
- 3 HCS SS SCS SB 678 & 742, (Fiscal Review, 5-2-00) - May (108)
- 4 HCS SS SB 902 - Treadway
- 5 SCS SB 557 - Smith
- 6 SS SCS SB 867 & 552, (Fiscal Review, 5-2-00) - Scheve
- 7 HCS SS#2 SCS SB 934, 546, 578, 579 & 782 - Hosmer
- 8 HCS SS#2 SCS SB 757 & 602, (Fiscal Review, 5-4-00) - Scheve
- 9 SCS SB 540 - Wiggins
- 10 HCS SS SCS SB 925, E.C. - Williams (159)
- 11 HCS SB 996 - Hosmer

- 12 HCS SCS SB 842, E.C., (Fiscal Review, 5-4-00) - Hoppe
- 13 HCS SB 921 - Treadway
- 14 SB 892, (Fiscal Review, 5-4-00) - Crump
- 15 HCS SCS SB 683, (Fiscal Review, 5-5-00) - Koller
- 16 HCS SS SCS SB 885, (Fiscal Review, 5-5-00) - Smith
- 17 HCS SB 573, E.C., (Fiscal Review, 5-5-00) - Kissell
- 18 HCS SB 974, (Fiscal Review, 5-5-00) - Lakin
- 19 HCS SCS SB 806 & SB 537, E.C., (Fiscal Review, 5-5-00) - Britt
- 20 HCS SB 851 - Kreider
- 21 HCS SCS SB 597, (Fiscal Review, 5-5-00) - Dougherty
- 22 HCS SB 722 - Smith
- 23 SB 910 - Abel
- 24 HCS SS SCS SB 926, E.C., (Fiscal Review, 5-8-00) - Scheve
- 25 SCS SB 685 - Curls

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 HCS SCS SB 894 - Hoppe
- 2 SCS SB 779 - Wiggins

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HCS HB 1967, SA 1 to SCA 1, SCA 1, as amended, & SA 1, E.C. - Hoppe
- 2 HCR 10, SCA 1 - Auer

BILL CARRYING REQUEST MESSAGE

HCS SS SB 813, as amended,
(Senate refuse to adopt CCR/ House request Senate grant further confer.) - Kissell

BILLS IN CONFERENCE

- 1 SCS HB 1591 - Backer
- 2 HS HCS SS SB 549, as amended - Van Zandt
- 3 HS HCS SB 788, as amended - Barry
- 4 HS HCS SB 856, as amended - Harlan
- 5 CCR SCS HB 1948 - Gratz
- 6 CCR HS SB 961, as amended, E.C. - Ransdall
- 7 HS HCS SB 896, as amended - May (108)
- 8 CCR#3 HCS SB 944, as amended - Smith
- 9 HS HCS SB 858 - Smith
- 10 HCS SB 741, as amended - Backer
- 11 SCS HB 1292, as amended - Auer

HOUSE RESOLUTIONS

- 1 HR 557, (5-1-00, pg. 1160) - Gratz
- 2 HR 504, (5-1-00, pg. 1159) - Gratz

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SEVENTIETH DAY, WEDNESDAY, MAY 10, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

God, You are the glue which binds peoples and families together. You are the spirit who motivates our actions. Despite the possible rancor that this Chamber has felt these last days, re-unify our spirits this morning and this day.

If there is disagreement on means, let this body remember that our deepest motives here aim at equality and liberty, individual decency and value, community increase and social progress. May we remember, as difficult as that might be in the fray of debate and the desire to win our case, that at the end of this session, we will still be ONE sovereign state, beneath one God, with freedom and fairness for every citizen. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Stephen Braun, Jenna Baker, Amanda Baird, Alex Marion, Sarah Kuehnle, Mike Wilcox, Katie Kriegshauser, Scott Roberts, Tim Wahl, Maureen Kientzle and David Schoemehl.

The Journal of the sixty-ninth day, was approved as corrected by the following vote:

AYES: 081

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Fraser	George
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hollingsworth	Hoppe
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Liese	Long
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Ransdall	Relford	Reynolds
Richardson	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 062

Akin	Ballard	Barnett	Bartelsmeyer	Bennett
Berkstresser	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Enz	Evans	Foster	Froelker	Gibbons
Graham 106	Griesheimer	Gross	Hanaway	Hartzler 123

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Hartzler 124	Hendrickson	Hohulin	Howerton	Kasten
Kelley 47	King	Legan	Linton	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Reid	Reinhart	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 019

Alter	Bartle	Elliott	Franklin	Gambaro
Gaskill	Hegeman	Hilgemann	Holand	Klindt
Leake	Levin	Lograsso	Loudon	Parker
Pryor	Purgason	Stokan	Wiggins	

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1585

through

House Resolution No. 1588 - Representative Gross, et al
House Resolution No. 1589 - Representative Scheve
House Resolution No. 1590 - Missouri Legislative Black Caucus
House Resolution No. 1591 - Representative Naeger
House Resolution No. 1592 - Representative Bartle
House Resolution No. 1593

through

House Resolution No. 1595 - Representative Reinhart
House Resolution No. 1596 - Representatives Lawson and Kelly (27)
House Resolution No. 1597 - Representative Enz
House Resolution No. 1598

and

House Resolution No. 1599 - Representative Hartzler (124)
House Resolution No. 1600 - Representative Kelly (27)

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 26, SCS SCR 41, SCR 42 and SCR 43 were read the second time.

HOUSE BILL WITH SENATE AMENDMENT

HCR 10, with Senate Committee Amendment No. 1, relating to life insurance, was taken up by Representative Auer.

On motion of Representative Auer, the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 149

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Fraser	Froelker	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Legan
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 012

Black	Elliott	Franklin	Gambaro	Gaskill
Kasten	Klindt	Levin	Lograsso	Parker
Stokan	Wiggins			

VACANCIES: 001

On motion of Representative Auer, **HCR 10, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 139

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Fraser	Froelker	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27

Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Liese
Linton	Long	Luetkemeyer	Luetkenhaus	Marble
May 108	McBride	McClelland	McKenna	McLuckie
Merideth	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Tudor
Van Zandt	Vogel	Wagner	Ward	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 022

Barry 100	Champion	Chrismer	Franklin	Gambaro
Gaskill	Kasten	Leake	Levin	Lograsso
Loudon	Mays 50	Miller	Ostmann	Parker
Pryor	Reynolds	Scott	Stokan	Troupe
Wiggins	Williams 121			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Selby moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE JOINT RESOLUTION

SJR 50, relating to bingo, was taken up by Representative Scheve.

Representative Ballard offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Joint Resolution No. 50, Page 2, Section 39(a), Line 19, by deleting the words “**six months**” and inserting in lieu thereof the words “**one year**”.

Representative Loudon offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND Senate Joint Resolution No. 50, Page 2, Section 39(a), Lines 18-20, by deleting said lines and inserting in lieu thereof the following:

“(a) Is a bona fide member of the organization and volunteers the time and service necessary to conduct the game.”.

Representative Loudon moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Ballard moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Berkstresser	Black	Boatright	Champion
Chrismer	Crawford	Dolan	Elliott	Enz
Evans	Foster	Froelker	Gross	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kelley 47	King	Legan	Levin	Linton
Loudon	Marble	McClelland	Murphy	Myers
Phillips	Purgason	Reinhart	Rizzo	Sallee
Schwab	Scott	Secrest	Shields	Summers

NOES: 106

Abel	Auer	Barry 100	Bennett	Berkowitz
Blunt	Bonner	Boucher 48	Boykins	Bray 84
Britt	Burton	Campbell	Cierpiot	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Fraser
Gambaro	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hickey
Hilgemann	Hollingsworth	Hoppe	Kasten	Kelly 27
Kennedy	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Liese	Long	Luetkemeyer
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Miller	Monaco	Murray
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Pouche 30	Pryor	Ransdall
Reid	Relford	Reynolds	Richardson	Riley
Robirds	Ross	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 010

Backer	Clayton	Franklin	Gaskill	Hosmer
Leake	Lograsso	Patek	Ridgeway	Stokan

VACANCIES: 001

Representative Loudon offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Joint Resolution No. 50, Page 2, Section 39(a), Line 44, by adding one new subsection:

“(a) any club in existence for more than two years shall have no membership requirement.”.

On motion of Representative Loudon, **House Amendment No. 2** was adopted.

On motion of Representative Scheve, **SJR 50, as amended**, was read the third time and passed by the following vote:

AYES: 133

Abel	Alter	Auer	Barnett	Barry 100
Bennett	Berkowitz	Black	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Cierpiot	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Fraser	Froelker	Gambaro	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Liese	Long	Luetkemeyer
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Pouche 30	Pryor
Ransdall	Reid	Relford	Reynolds	Richardson
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 021

Akin	Ballard	Bartelsmeyer	Bartle	Berkstresser
Boatright	Chrismer	Crawford	Gross	Hohulin
Legan	Levin	Linton	Loudon	Marble
McClelland	Miller	Phillips	Purgason	Reinhart
Summers				

PRESENT: 000

ABSENT WITH LEAVE: 008

Backer	Franklin	Gaskill	Kelly 27	Lograsso
Patek	Ridgeway	Stokan		

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

BILL IN CONFERENCE

CCR HS SB 961, as amended, relating to military affairs, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **CCR HS SB 961, as amended**, was adopted by the following vote:

AYES: 149

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Fraser	Froelker	Gambara	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

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NOES: 003

Foster	Hartzler 124	Patek
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PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Bray 84	Franklin	Gaskill	Gunn
Legan	Lograsso	Sallee	Smith	Stokan

VACANCIES: 001

On motion of Representative Ransdall, **CCS HS SB 961** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Patek

PRESENT: 000

ABSENT WITH LEAVE: 006

Franklin	Lograsso	Relford	Smith	Stokan
Wiggins				

VACANCIES: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 159

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Franklin	Lograsso	Stokan
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VACANCIES: 001

On motion of Representative Treadway, title to the bill was agreed to.

Representative Wagner moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

Representative Smith assumed the Chair.

BILL CARRYING REQUEST MESSAGE

HCS SS SB 813, as amended, relating to law enforcement officers, was taken up by Representative Kissell.

Representative Kissell moved that the House grant the Senate a further conference on **HCS SS SB 813, as amended**.

Which motion was adopted.

BILL IN CONFERENCE

CCR SCS HB 1948, relating to special mobile equipment, was taken up by Representative Gratz.

On motion of Representative Gratz, **CCR SCS HB 1948** was adopted by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Ford	Foster	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Boatright	Foley	Franklin	Kissell	Lograsso
Monaco	Patek	Sallee	Stokan	Williams 121

VACANCIES: 001

On motion of Representative Gratz, **CCS SCS HB 1948** was read the third time and passed by the following vote:

AYES: 150

Abel	Akin	Auer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Klindt	Koller	Kreider	Lawson
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Alter

PRESENT: 000

ABSENT WITH LEAVE: 011

Backer	Franklin	Kissell	Lakin	Lograsso
Monaco	Patek	Sallee	Stokan	Treadway
Williams 121				

VACANCIES: 001

Representative Smith declared the bill passed.

On motion of Representative Ward, title to the bill was agreed to.

Representative Williams (159) moved that the vote by which the bill passed be reconsidered.

Representative Ransdall moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

HCS SB 936, relating to taxation, was taken up by Representative Bray.

Representative Bray offered **HS HCS SB 936**.

Representative Bray offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 936, Page 145, Section C, Line 23, by inserting immediately after said line the following:

"135.400. As used in sections 135.400 to 135.430, the following terms mean:

(1) "Certificate", a tax credit certificate issued by the department of economic development in accordance with sections 135.400 to 135.430;

(2) "Community bank", either a bank community development corporation or development bank, which are financial organizations which receive investments from commercial financial institutions regulated by the federal reserve, the office of the comptroller of the currency, the office of thrift supervision, or the Missouri division of finance. Community banks, in addition to their other privileges, shall be allowed to make loans to businesses or equity investments in businesses or in real estate provided that such transactions have associated public benefits;

(3) "Community development corporation", [a not for profit corporation and a recipient of Community Development Block Grant (CDBG) funds pursuant to the Housing Community Development Act of 1974. Such corporations design specific, comprehensive programs to stimulate economic development, housing or other public benefits leading to the development of economically sustainable neighborhoods or communities] **a not-for-profit corporation whose board of directors is composed of business, civic and community leaders, and whose primary purpose is to encourage and promote the industrial, economic, entrepreneurial, commercial and civic development or redevelopment of a community or area, including the provision of housing and community economic development projects that benefit low-income individuals and communities;**

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of the department of economic development, or a person acting under the supervision of the director;

(6) "Investment", a transaction in which a Missouri small business or a community bank receives a monetary benefit from an investor pursuant to the provisions of sections 135.403 to 135.414;

(7) "Investor", an individual, partnership, financial institution, trust or corporation meeting the eligibility requirements of sections 135.403 to 135.414. In the case of partnerships and nontaxable trusts, the individual partners or beneficiaries shall be treated as the investors;

(8) "Missouri small business", an independently owned and operated business as defined in Title 15 U.S.C. Section 632(a) and as described by Title 13 C.F.R. Part 121, which is headquartered in Missouri and which [employs] **has and retains for five years from the time of awarding credits pursuant to this section** at least eighty percent of its employees **working** in Missouri, except that no such small business shall employ more than one hundred employees. Such businesses must be involved in interstate or intrastate commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, insurance or professional services. For the purpose of qualifying for the tax credit pursuant to sections 135.400 to 135.430, "Missouri small business" shall include cooperative marketing associations organized pursuant to chapter 274, RSMo, which are engaged in the business of producing and marketing fuels derived from agriculture commodities, without regard for whether a cooperative marketing association has more than one hundred employees. Cooperative marketing associations organized pursuant to chapter 274, RSMo, shall not be required to comply with the requirements of section 135.414;

(9) "Primary employment", work which pays at least the minimum wage and which is not seasonal or part-time;

(10) "Principal owners", one or more persons who own an aggregate of [fifty] **thirty-five** percent or more of the Missouri small business and who are involved in the operation of the business as a full-time professional activity;

(11) "Project", any commercial or industrial business or other economic development activity undertaken in a

target area, designed to reduce conditions of blight, unemployment or widespread reliance on public assistance which creates permanent primary employment opportunities;

(12) "State tax liability", any liability incurred by a taxpayer pursuant to the provisions of chapter 143, RSMo, chapter 147, RSMo, chapter 148, RSMo, section 375.916, RSMo, and chapter 153, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions[;]

(13) "Target area", a group of blocks or a self-defined neighborhood where the rate of poverty in the area is greater than twice the national poverty rate and as defined by the department of social services in conjunction with the department of economic development. Areas of the state satisfying the criteria of this subdivision may be designated as a "target area" following appropriate findings made and certified by the departments of economic development and social services. In making such findings, the departments of economic development and social services may use any commonly recognized records and statistical indices published or made available by any agency or instrumentality of the federal or state government. No area of the state shall be a target area until so certified by the department of social services and the revitalization plan submitted pursuant to section 208.335, RSMo, has received approval].

135.403. 1. Any investor who makes a qualified investment in a Missouri small business shall be entitled to receive a tax credit equal to forty percent of the amount of the investment or, in the case of a qualified investment in a Missouri small business in a distressed community as defined by section 135.530, a credit equal to sixty percent of the amount of the investment, and any investor who makes a qualified investment in a community bank or a community development corporation shall be entitled to receive a tax credit equal to fifty percent of the amount of the investment if the investment is made in a community bank or community development corporation for direct investment [into a targeted area as defined in section 135.400]. The total amount of tax credits available for qualified investments in Missouri small businesses shall not exceed [thirteen] **five million dollars per year** and at least [four] **two million five hundred thousand dollars per year** of the amount authorized by this section and certified by the department of economic development shall be for investment in Missouri small businesses in distressed communities. Authorization for all or any part of this [four] **two million [dollar amount] five hundred thousand dollars per year** shall in no way restrict the eligibility of Missouri small businesses in distressed communities, as defined in section 135.530, for the remaining amounts authorized within this section. No more than twenty percent of the tax credits available each year for investments in community banks or community development corporations for direct investment [into a targeted area] shall be certified for any one project, as defined in section 135.400. The tax credit shall be evidenced by a tax credit certificate in accordance with the provisions of sections 135.400 to 135.430 and may be used to satisfy the state tax liability of the owner of the certificate that becomes due in the tax year in which the qualified investment is made, or in any of the [ten] **five** tax years thereafter. When the qualified small business is in a distressed community, as defined in section 135.530, the tax credit may also be used to satisfy the state tax liability of the owner of the certificate that was due during each of the previous three years in addition to the year in which the investment is made and any of the [ten] **five** years thereafter. No investor may receive a tax credit pursuant to sections 135.400 to 135.430 unless that person presents a tax credit certificate to the department of revenue for payment of such state tax liability. The department of revenue shall grant tax credits in the same order as established by subsection 1 of section 32.115, RSMo. Subject to the provisions of sections 135.400 to 135.430, certificates of tax credit issued in accordance with these sections may be transferred, sold or assigned by **filing a notarized endorsement thereof with the department** which names the transferee **and the amount of tax credit transferred**.

2. [The amount of qualified investments which can be made is limited so that the aggregate of all tax credits authorized pursuant to the provisions of sections 135.400 to 135.430 shall not exceed nineteen million dollars. Six million] **Five hundred thousand** dollars in tax credits shall be available **annually from the total amount of tax credits authorized by section 32.110, RSMo, and subdivision (4) of subsection 2 of section 32.115, RSMo**, as a result of investments in community banks or community development corporations. Aggregate investments eligible for tax credits in any one Missouri small business shall not be more than one million dollars. Aggregate investments eligible for tax credits in any one Missouri small business shall not be less than five thousand dollars as of the date of issuance of the first tax credit certificate for investment in that business.

135.408. A qualified investment in a Missouri small business may be made either through an unsecured loan or the purchase of equity or unsecured debt securities of such business. Investors in a small business qualifying for tax credits [under] **pursuant to** the provisions of sections 135.400 to 135.430, however, must collectively own less than [fifty] **sixty-five** percent of a business after their investments are made. Qualified investments in a Missouri small business must be expended for capital improvements, plant, equipment, research and development, or working capital for the business or such business activity as may be approved by the department.

135.411. The amount of the qualified investment made in a Missouri small business must remain in that business

for a minimum of [five] **three** years. Withdrawal of the investment prior to the minimum [five-year] period shall result in revocation of the tax credit, and repayment of any amounts of the tax credit already applied against the investor's state tax liability. **The department may pro rate the revocation or repayment authorized by this section. The sale, change in control or going public of a business shall not trigger such revocation if the business continues to operate provided that all other requirements of the program are met.**

135.423. **Except as otherwise provided in this section,** the department may revoke a tax credit certificate issued pursuant to sections 135.400 to 135.430 or enforce repayment of any amounts of the tax credit already applied against the investor's state liability if any representation to the department in connection with the application proves to have been false when made or if the application violates any conditions established by the department and stated in the tax credit certificate. The revocation **or repayment** may be in full or in part as the department may determine. The department shall specify the amount of credit being revoked **or required to be repaid** and shall send notice of the revocation **or required repayment** to the investor and to the state department of revenue. **Remedies authorized by this section shall not be imposed against a good faith subsequent purchaser or transferee of a tax credit certificate issued pursuant to sections 135.400 to 135.430. Remedies imposed pursuant to this section by the department against any applicant or investor other than a good faith subsequent purchaser or transferee shall not affect the value of any tax credit held by a good faith subsequent purchaser or transferee.**

[135.430. The department of social services shall promulgate such rules and regulations, pursuant to chapter 536, RSMo, and section 660.017, RSMo, as are necessary to define and certify target areas as defined in section 135.400. The department of economic development shall promulgate such rules and regulations, pursuant to chapter 536, RSMo, and subsection 20 of section 620.010, RSMo, as are necessary to implement the provisions of sections 135.400 to 135.440 after a target area has been defined and certified by the department of social services.]

135.484. 1. Beginning January 1, 2000, tax credits shall be allowed pursuant to section 135.481 in an amount not to exceed sixteen million dollars per year. Of this total amount of tax credits in any given year, eight million dollars shall be set aside for projects [involving eligible residences] **in areas described in subdivision (6) of section 135.478,** and eight million dollars for projects [involving qualifying residences] **in areas described in subdivision (10) of section 135.478.** The maximum tax credit for a project consisting of multiple-unit qualifying residences in a distressed community shall not exceed three million dollars.

2. Any amount of credit which exceeds the tax liability of a taxpayer for the tax year in which the credit is first claimed may be carried back to any of the taxpayer's three prior tax years and carried forward to any of the taxpayer's five subsequent tax years. A certificate of tax credit issued to a taxpayer by the department may be assigned, transferred, sold or otherwise conveyed. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit and the value of the credit.

3. The tax credits allowed pursuant to sections 135.475 to 135.487 may not be claimed in addition to any other state tax credits, with the exception of the historic structures rehabilitation tax credit authorized pursuant to sections 253.545 to 253.559, RSMo, which insofar as sections 135.475 to 135.487 are concerned may be claimed only in conjunction with the tax credit allowed pursuant to subsection 4 of section 135.481. In order for a taxpayer eligible for the historic structures rehabilitation tax credit to claim the tax credit allowed pursuant to subsection 4 of section 135.481, the taxpayer must comply with the requirements of sections 253.545 to 253.559, RSMo, and in such cases, the amount of the tax credit pursuant to subsection 4 of section 135.481 shall be limited to the lesser of twenty percent of the taxpayer's eligible costs or forty thousand dollars.

[135.535. 1. A corporation, limited liability corporation, partnership or sole proprietorship, which moves its operations from outside Missouri or outside a distressed community into a distressed community, or which commences operations in a distressed community on or after January 1, 1999, and in either case has more than seventy-five percent of its employees at the facility in the distressed community, and which has fewer than one hundred employees for whom payroll taxes are paid, and which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming, telecommunications or a professional firm shall receive a forty percent credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo, for each of the three years after such move, if approved by the department of economic development, which shall issue a certificate of eligibility if the department determines that the taxpayer is eligible for such credit. The maximum amount of credits per taxpayer set forth in this subsection shall not exceed one hundred twenty-five thousand dollars for each of the three years for which the credit is claimed. The department of economic development, by means of rule or regulation promulgated pursuant to the provisions of chapter 536, RSMo, shall assign appropriate standard industrial classification numbers to the companies which are eligible for

the tax credits provided for in this section. Such three-year credits shall be awarded only one time to any company which moves its operations from outside of Missouri or outside of a distressed community into a distressed community or to a company which commences operations within a distressed community. A taxpayer shall file an application for certification of the tax credits for the first year in which credits are claimed and for each of the two succeeding taxable years for which credits are claimed.

2. Employees of such facilities physically working and earning wages for that work within a distressed community whose employers have been approved for tax credits pursuant to subsection 1 of this section by the department of economic development for whom payroll taxes are paid shall, also be eligible to receive a tax credit against individual income tax, imposed pursuant to chapter 143, RSMo, equal to one and one-half percent of their gross salary paid at such facility earned for each of the three years that the facility receives the tax credit provided by this section, so long as they were qualified employees of such entity. The employer shall calculate the amount of such credit and shall report the amount to the employee and the department of revenue.

3. A tax credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than the taxes withheld pursuant to sections 143.191 to 143.265, RSMo, in lieu of the credit against income taxes as provided in subsection 1 of this section, may be taken by such an entity in a distressed community in an amount of forty percent of the amount of funds expended for computer equipment and its maintenance, medical laboratories and equipment, research laboratory equipment, manufacturing equipment, fiber optic equipment, high speed telecommunications, wiring or software development expense up to a maximum of seventy-five thousand dollars in tax credits for such equipment or expense per year per entity and for each of three years after commencement in or moving operations into a distressed community. A corporation, partnership or sole proprietorship, which has no more than one hundred employees for whom payroll taxes are paid, and which is already located in a distressed community, which expends funds for such equipment as set forth in this subsection in an amount exceeding its average of the prior two years for such equipment, shall be eligible to receive a twenty-five percent tax credit against income taxes owed pursuant to chapters 143, 147 and 148, RSMo, up to a maximum of seventy-five thousand dollars in tax credits for such additional equipment and expense per such entity. Tax credits pursuant to this subsection or subsection 1 may be used to satisfy the state tax liability due in the tax year the credit is certified, and that was due during the previous three years, and in any of the five tax years thereafter.

4. Tax credits shall be approved for applicants meeting the requirements of this section in the order that such applications are received. Certificates of tax credits issued in accordance with this section may be transferred, sold or assigned by notarized endorsement which names the transferee.

5. The tax credits allowed pursuant to subsections 1, 2 and 3 of this section shall be for an amount of no more than ten million dollars for each year beginning in 1999. The total maximum credit for all entities already located in distressed communities and claiming credits pursuant to subsection 3 of this section shall be seven hundred and fifty thousand dollars. The department of economic development in approving taxpayers for the credit as provided for in subsection 4 of this section shall use information provided by the department of revenue regarding taxes paid in the previous year, or projected taxes for those entities newly established in the state, as the method of determining when this maximum will be reached and shall maintain a record of the order of approval. Any tax credit not used in the period for which the credit was approved may be carried over until the full credit has been allowed.

6. A Missouri employer relocating into a distressed community and having employees covered by a collective bargaining agreement at the facility from which it is relocating shall not be eligible for the credits in subsection 1 or 3 of this section, and its employees shall not be eligible for the credit in subsection 2 of this section if the relocation violates or terminates a collective bargaining agreement covering employees at the facility, unless the affected collective bargaining unit concurs with the move.

7. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits allowed in this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions, and refund otherwise allowed in sections 135.200, 135.220, 135.225 and 135.245, respectively, for the same business for the same tax period.

8. An existing business located within a distressed community, that hires new employees within such distressed communities may be eligible for the tax credits provided in this section. In order to be eligible for such tax credits, the business located within the distressed community, during one of its tax years, must employ within such distressed communities at least twice as many workers as were employed at the beginning of that tax year. Prior to the addition of the new employees, the business shall have no more than one hundred employees. The provisions of this section shall apply only to a business which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming, or telecommunications business or a professional firm.]

135.535. 1. A corporation, limited liability corporation, partnership or sole proprietorship[,] which moves its operations from outside Missouri or outside a distressed community into a distressed community, or which commences operations in a distressed community on or after January 1, 1999, and in either case has more than [seventy-five] **sixty** percent of its employees at [the facility] **facilities** in [the] distressed [community] **communities**, and which has fewer than one hundred **fifty** employees for whom payroll taxes are paid, and which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming, telecommunications or a professional firm shall receive a forty percent credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo, for each of the three years after such move, if approved by the department of economic development, which shall issue a certificate of eligibility if the department determines that the taxpayer is eligible for such credit. The maximum amount of credits per taxpayer set forth in this subsection shall not exceed one hundred twenty-five thousand dollars for each of the three years for which the credit is claimed. The department of economic development, by means of rule or regulation promulgated pursuant to the provisions of chapter 536, RSMo, shall [assign] **specify which** appropriate standard industrial classification numbers [to the companies which are], **or North American Industrial Classification System numbers assigned to a business make the business** eligible for the tax credits provided for in this section. Such three-year credits shall be awarded only one time to any company which moves its operations from outside of Missouri or outside of a distressed community into a distressed community or to a company which commences operations within a distressed community. A taxpayer shall file an application for certification of the tax credits for the first year in which credits are claimed and for each of the two succeeding taxable years for which credits are claimed.

2. Employees of such facilities physically working and earning wages for that work within a distressed community whose employers have been approved for tax credits pursuant to subsection 1 of this section by the department of economic development for whom payroll taxes are paid shall, also be eligible to receive a tax credit against individual income tax, imposed pursuant to chapter 143, RSMo, equal to one and one-half percent of their gross salary paid at such facility earned for each of the three years that the facility receives the tax credit provided by this section, so long as they were qualified employees of such entity. The employer shall calculate the amount of such credit and shall report the amount to the employee and the department of revenue.

3. A tax credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than the taxes withheld pursuant to sections 143.191 to 143.265, RSMo, in lieu of the credit against income taxes as provided in subsection 1 of this section, may be taken by such an entity in a distressed community in an amount of forty percent of the amount of funds expended for **the purchase of or at least a two-year lease of** computer equipment and its maintenance, medical laboratories and equipment, research laboratory equipment, manufacturing equipment, fiber optic equipment, high speed telecommunications, wiring or software development expense up to a maximum of [seventy-five] **one hundred fifty** thousand dollars in tax credits for such equipment or expense per year per entity and for each of three years after commencement in or moving operations into a distressed community. **The maximum tax credit allowed pursuant to this subsection shall apply to entities which have previously qualified for a tax credit pursuant to this subsection for future tax years for which such entities qualify.**

4. A corporation, partnership or sole partnership, which has no more than one hundred employees for whom payroll taxes are paid, which is already located in a distressed community and which expends funds for such equipment pursuant to subsection 3 of this section in an amount exceeding its average of the prior two years for such equipment, shall be eligible to receive a tax credit against income taxes owed pursuant to chapters 143, 147 and 148, RSMo, in an amount equal to the lesser of seventy-five thousand dollars or twenty-five percent of the funds expended for such additional equipment per such entity. Tax credits allowed pursuant to this subsection or subsection 1 of this section may be carried back to any of the three prior tax years and carried forward to any of the five tax years.

5. An existing corporation, partnership or sole proprietorship that is located within a distressed community and that relocates employees from another facility outside of the distressed community to its facility within the distressed community, and an existing business located within a distressed community that hires new employees for that facility may both be eligible for the tax credits allowed by subsections 1 and 3 of this section. To be eligible for such tax credits, such a business, during one of its tax years, shall employ within a distressed community at least twice as many employees as were employed at the beginning of that tax year. A business hiring employees shall have no more than [one] **two** hundred employees **in the distressed community** before the addition of the new employees. This subsection shall only apply to a business which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming or telecommunications business, or a professional firm.

6. Tax credits shall be approved for applicants meeting the requirements of this section in the order that such

applications are received. Certificates of tax credits issued in accordance with this section may be transferred, sold or assigned by **filing a notarized endorsement thereof with the department** which names the transferee **and the amount of tax credits transferred. Remedies authorized by this section shall not be imposed against a good faith subsequent purchaser or transferee of a tax credit certificate issued pursuant to sections 135.400 to 135.430. Remedies imposed pursuant to this section by the department against any applicant or investor other than a good faith subsequent purchaser or transferee shall not affect the value of any tax credit held by a good faith subsequent purchaser or transferee.**

7. The tax credits allowed pursuant to subsections 1, 2, 3, 4 and 5 of this section shall be for an amount of no more than ten million dollars for each year beginning in 1999. The total maximum credit for all entities already located in distressed communities and claiming credits pursuant to subsection 4 of this section shall be seven hundred and fifty thousand dollars. The department of economic development in approving taxpayers for the credit as provided for in subsection 6 of this section shall use information provided by the department of revenue regarding taxes paid in the previous year, or projected taxes for those entities newly established in the state, as the method of determining when this maximum will be reached and shall maintain a record of the order of approval. Any tax credit not used in the period for which the credit was approved may be carried over until the full credit has been allowed. **If the total amount of tax credits authorized pursuant to subsections 1, 2 and 3 of this section is not used in a given year, then such excess portion shall be added to the maximum amount of tax credits available pursuant to subsection 2 of section 348.302, RSMo, for the following year.**

8. A Missouri employer relocating into a distressed community and having employees covered by a collective bargaining agreement at the facility from which it is relocating shall not be eligible for the credits in subsection 1, 3, 4 or 5 of this section, and its employees shall not be eligible for the credit in subsection 2 of this section if the relocation violates or terminates a collective bargaining agreement covering employees at the facility, unless the affected collective bargaining unit concurs with the move.

9. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits allowed in this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions, and refund otherwise allowed in sections 135.200, 135.220, 135.225 and 135.245, respectively, for the same business for the same tax period. **A change in ownership or control of a taxpayer shall not revoke or otherwise restrict the tax credits allowed pursuant to this section.**

[135.766. An eligible small business, as defined in Section 44 of the Internal Revenue Code, shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to any amount paid by the eligible small business to the United States Small Business Administration as a guaranty fee pursuant to obtaining Small Business Administration guaranteed financing and to programs administered by the United States Department of Agriculture for rural development or farm service agencies.]

348.300. As used in sections 348.300 to 348.318, the following terms mean:

(1) "Commercial activity located in Missouri", any research, development, prototype fabrication, and subsequent precommercialization activity, or any activity related thereto, conducted in Missouri for the purpose of producing a service or a product or process for manufacture, assembly or sale or developing a service based on such a product or process by any person, corporation, partnership, joint venture, unincorporated association, trust or other organization doing business in Missouri. Subsequent to January 1, 1999, a commercial activity located in Missouri shall mean only such activity that is located within a distressed community, as defined in section 135.530, RSMo;

(2) "Follow-up capital", capital provided to a commercial activity located in Missouri **or any other Missouri business** in which a qualified fund has previously invested seed capital or start-up capital **within the previous three years** and which does not exceed ten times the amount of such seed and start-up capital;

(3) "Qualified contribution", cash contribution to a qualified fund;

(4) "Qualified economic development organization", any corporation organized under the provisions of chapter 355, RSMo, which has as of January 1, 1991, obtained a contract with the department of economic development to operate an innovation center to promote, assist and coordinate the research and development of new services, products or processes in the state of Missouri; and the Missouri technology corporation organized pursuant to the provisions of sections 348.253 to 348.266;

(5) "Qualified fund", any corporation, partnership, joint venture, unincorporated association, trust or other organization which is established under the laws of Missouri after December 31, 1985, which meets all of the following requirements established by this subdivision. The fund shall have as its sole purpose and business the making of investments, of which at least ninety percent of the dollars invested shall be qualified investments. The fund shall enter into a contract with one or more qualified economic development organizations which shall entitle the qualified

economic development organizations to receive not less than ten percent of all distributions of equity and dividends or other earnings of the fund. Such contracts shall require the qualified fund to transfer to the Missouri technology corporation organized pursuant to the provisions of sections 348.253 to 348.266, this interest and make corresponding distributions thereto in the event the qualified economic development organization holding such interest is dissolved or ceases to do business for a period of one year or more;

(6) "Qualified investment", any investment of seed capital, start-up capital, or follow-up capital in any commercial activity located in Missouri;

(7) "Person", any individual, corporation, partnership or other entity;

(8) "Seed capital", capital provided to a commercial activity located in Missouri for research, development and precommercialization activities to prove a concept for a new product or process or service, and for activities related thereto;

(9) "Start-up capital", capital provided to a commercial activity located in Missouri for use in preproduction product development or service development or initial marketing thereof, and for activities related thereto;

(10) "State tax liability", any state tax liability incurred by a taxpayer under the provisions of chapters 143, 147 and 148, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions;

(11) "Uninvested capital", the amount of any distribution, other than of earnings, by a qualified fund made within five years of the issuance of a certificate of tax credit as provided by sections 348.300 to 348.318; or the portion of all qualified contributions to a qualified fund which are not invested as qualified investments within five years of the issuance of a certificate of tax credit as provided by sections 348.300 to 348.318 to the extent that the amount not so invested exceeds ten percent of all such qualified contributions.

348.302. 1. Any person who makes a qualified contribution to a qualified fund shall be entitled to receive a tax credit equal to [fifty] **seventy-five** percent of the amount of the qualified contribution. The tax credit shall be evidenced by a tax credit certificate in accordance with the provisions of sections 348.300 to 348.318 and may be used to satisfy the state tax liability of the owner of such certificate that becomes due in the tax year in which the qualified contribution is made, or in any of the ten tax years thereafter. No person may receive a tax credit pursuant to sections 348.300 to 348.318 unless that person presents a tax credit certificate to the department of revenue for payment of such state tax liability.

2. The amount of such qualified contributions which can be made is limited so that the aggregate of all tax credits authorized [under] **pursuant to** the provisions of sections 348.300 to 348.318 shall not exceed [nine] **four** million dollars **per year plus any unused amounts from the previous year pursuant to sections 135.535, RSMo.** All tax credits authorized [under] **pursuant to** the provisions of this section may be transferred, sold or assigned **by filing a notarized endorsement thereof with the department which names the transferee and the amount of tax credits transferred.**

620.470. As used in sections 620.470 to 620.481, unless the context clearly requires otherwise, the following terms mean:

(1) "Department", the Missouri department of economic development;

(2) "Fund", the Missouri job development fund as established by section 620.478;

(3) "Industry", an entity the objective of which is to supply a service or the objective of which is the commercial production and sale of an article of trade or commerce. **The term includes a consortium of such entities organized for the purpose of providing for common training to the member entities' employees, provided that the consortium as a whole meets the requirements for participation in this program;**

(4) "Manufacturing", the making or processing of raw materials into a finished product, especially by means of large-scale machines of industry.

620.474. 1. The department shall establish a basic industry retraining program, the purpose of which is to provide assistance for industries in Missouri for the retraining and upgrading of employees' skills which are required to support new [capital] investment. Such program shall be operated with appropriations made by the general assembly from the fund.

2. Assistance under the basic industry retraining program may be made available for industries in Missouri which make new investments [in manufacturing] without the creation of new employment.

3. The department shall issue rules and regulations governing the awarding of funds administered through the basic industry retraining fund. When promulgating these rules and regulations, the department shall consider such factors as the number of jobs in jeopardy of being lost if retraining does not occur, the amount of private sector investment in new facilities and equipment, the ratio of jobs retained versus investment, the cost of normal, ongoing

training required for the industry, the economic need of the affected community, and the importance of the industry to the economic development of Missouri.

620.1039. 1. As used in this section, the term "taxpayer" means an individual, a partnership, or a corporation as described in section 143.441, 143.471, RSMo, or section 148.370, RSMo, and the term "qualified research expenses" has the same meaning as prescribed in 26 U.S.C. 41.

2. **For tax years beginning on or after January 1, [1994] 2001, the director of the department of economic development may authorize a taxpayer [may be allowed] to receive a tax credit against the tax otherwise due pursuant to chapter 143, RSMo, or chapter 148, RSMo, other than the taxes withheld pursuant to sections 143.191 to 143.265, RSMo[, if approved by the director of the department of economic development,] in an amount up to six and one-half percent of the excess of the taxpayer's qualified research expenses, as certified by the director of the department of economic development, within this state during the taxable year over the average of the taxpayer's qualified research expenses within this state over the immediately preceding three taxable years[; except that], **plus for a taxpayer which has a total of at least one hundred fifty employees but no more than five hundred employees, an amount up to the proportion of such qualified research expenses incurred at facilities with employees working in distressed communities as defined in section 135.530, RSMo, multiplied by an additional six and one-half percent for a maximum of thirteen percent if all such qualified research expenses were incurred at facilities in distressed communities. Notwithstanding any provisions of law to the contrary:****

(1) The director may authorize a taxpayer which has a total of fewer than one hundred fifty employees, and which is located in a distressed community as defined in section 135.530, RSMo, to receive a tax credit pursuant to this subsection in an amount up to the greater of:

(a) **Thirty percent of the excess of the taxpayer's qualified research expenses incurred within this state during the taxable year over the average of the taxpayer's qualified research expenses for the immediately preceding three taxable years or fewer if the taxpayer has been in existence less than four years; or**

(b) **Twenty percent of the taxpayer's qualified research expenses for the taxable year; and**

(2) No tax credit shall be allowed on that portion of the taxpayer's qualified research expenses incurred within this state during the taxable year in which the credit is being claimed, to the extent such expenses exceed two hundred percent of the taxpayer's average qualified research expenses incurred during the immediately preceding three taxable years **except that a taxpayer that has been in existence for three years shall be limited to two hundred percent of the average expenses incurred during the immediately preceding two taxable years, a taxpayer that has been in existence for two years shall be limited to two hundred percent of the expenses incurred during the immediately preceding taxable year, and a taxpayer that has been in existence for one year shall not be so limited.** [In order to receive a tax credit pursuant to this section, certification by the director of the department of economic development shall be required as proof that the taxpayer made qualified research expenses during the taxable year.]

3. The director of economic development shall prescribe the manner in which the tax credit may be [claimed] **applied for.** The tax credit [allowed] **authorized** by this section may be claimed by the taxpayer to offset the tax liability imposed by chapter 143, RSMo, or chapter 148, RSMo, that becomes due in the tax year during which such qualified research expenses were incurred. Where the amount of the credit exceeds the tax liability, the difference between the credit and the tax liability may only be carried forward for the next five succeeding taxable years or until the full credit has been claimed, whichever first occurs. The application for [claiming] tax credits [allowed in] **authorized by the director pursuant to** subsection 2 of this section shall be made [in] **no later than the end of** the taxpayer's tax period immediately following the tax period for which the credits are being claimed.

4. **Certificates of tax credit issued pursuant to this section may be transferred, sold or assigned by filing a notarized endorsement thereof with the department which names the transferee and the amount of tax credit transferred. The director of economic development may allow a taxpayer to transfer, sell or assign up to forty percent of the amount of the certificates of tax credit issued to and not claimed by such taxpayer pursuant to this section during any tax year commencing on or after January 1, 1996, and ending not later than December 31, 1999. Such taxpayer shall file, by December 31, 2001, an application with the department which names the transferee, the amount of tax credit desired to be transferred, and a certification that the funds received by the applicant as a result of the transfer, sale or assignment of the tax credit shall be expended within three years at a state university for the sole purpose of conducting research activities agreed upon by the department, the taxpayer, and a state university. Failure to expend such funds in the manner prescribed pursuant to this section shall cause the applicant to be subject to the provisions of section 620.017.**

5. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it

has been promulgated pursuant to the provisions of chapter 536, RSMo. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536, RSMo. The provisions of this section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

[4.] **6.** The aggregate of all tax credits authorized pursuant to this section shall not exceed [ten] **nine million seven hundred thousand** dollars in any taxable year. **At least twenty-five percent of all tax credits allowed annually pursuant to this section shall be issued for qualified research expenses at facilities with employees working in distressed communities as defined in section 135.530, RSMo, unless by November fifteenth of each calendar year for such expenses at such facilities a lesser amount has been applied for; in such event, the portion of such credits unapplied for shall be available for the remainder of the year in the same way in which tax credits are otherwise available in this section. This amount for taxpayers in distressed communities shall in no way restrict the ability of taxpayers in such communities from qualifying for a credit up to six and one-half percent as otherwise authorized by this section.**

620.1400. Sections 620.1400 to 620.1460 shall be known and may be cited as the "Missouri [Individual Training Account] **Skills Development Tax Credit Program Act**" and its provisions shall be effective only within distressed communities as defined by section 135.530, RSMo, **except for employers applying for the training of mature workers in high demand industries.**

620.1420. As used in sections 620.1400 to 620.1460, the following terms mean:

(1) "Costs of classroom training", the normal costs incurred in the provision of classroom training which may also include specifically identified costs incurred for instructors, classroom space and facilities, administrative support services, and directly related expenses, that together do not exceed the amount normally allowed for support of vocational and technical classes;

(2) "Department", the department of economic development;

(3) "Employee", a full-time or part-time employed worker whose salary is equal to or less than two hundred percent of the federal poverty level;

(4) "Employee upgrade training", the progressive development of skills associated with the defined set of work processes. Such training shall be consistent with a career pattern of advancement, as measured by skill proficiency and the progressive earnings and related benefits, that are recognized within an occupation, trade or industry;

(5) **"High demand industry", the child care services industry and any other industry determined by the director of the department of economic development to have a shortage of skilled workers;**

(6) "[Individual training] **Skills Development** account", an account funded by the tax credits provided for in section 620.1440 for the provision of employee upgrade training to employees **and mature workers** through their participation in classroom training provided by educational institutions;

[(6)] (7) "Local educational institution", a publicly funded or privately funded local educational institution which is certified by a recognized accrediting association as capable of providing adequate classroom training **or any not-for-profit corporation approved by the director to offer educational services** to accomplish the purpose of sections 620.1400 to 620.1460;

(8) **"Mature worker", an individual at least fifty years of age living anywhere in Missouri whose employer applies for his or her training for the provision of child care services or another high demand industry as determined by the director of the department of economic development. To be eligible for this program, a mature worker must meet any one of the following requirements:**

(a) **The family income is at or below two hundred percent of the poverty level;**

(b) **The individual is receiving public support for the care of a foster child; or**

(c) **The individual faces serious barriers to employment, including displaced homemakers, dislocated workers, veterans or individuals who possess outdated skills.**

620.1430. 1. A Missouri employer **or group of employers** who [desires] **desire** to participate in the [individual training account program] **skills development tax credit** shall provide the department of economic development with notification of intent to participate. The notification shall include, but need not be limited to, the names and occupations of employees **or mature workers** whom [the] **each** employer has selected to be trained, whether or not the employees **or mature workers** are currently working for the employer, the name of the local educational institution that will

provide the training, and a brief description of the training to be given by the institution.

2. The employer **or group of employers** shall have complete discretion in the selection of the local educational institution or institutions to provide training and shall be responsible for the payment of the costs of classroom training.

620.1440. 1. Employers may be reimbursed for the costs of training provided pursuant to the provisions of the [individual training] **skills development** account program. Such reimbursement shall be in the form of tax credits as authorized in subsection 2 of this section. The tax credits may be claimed for courses provided in no more than two calendar years for each employee. For each year, the maximum amount of credit per employee **or mature worker** which can be certified by the department of economic development shall be the lesser of fifty percent of the costs of classroom training or [one] **two** thousand five hundred dollars.

2. Tax credits may be claimed against any liability incurred by the employer pursuant to the provisions of chapter 143, RSMo, and chapter 148, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo. Earned tax credits may be carried forward for a period not to exceed five years [and may be sold or transferred]. **Certificates of tax credit issued in accordance with this program may be transferred, sold or assigned by filing a notarized endorsement thereof with the department of economic development which names the transferee and the amount of tax credits transferred.**

3. No claim for tax credits submitted to the department by an employer shall be certified until the employer provides documentation that an employee **or mature worker** has successfully completed the employee's **or mature worker's** course training and has been employed by the employer in a new, full-time position for a period of at least three months **or in a new, part-time position for a mature worker in a high demand industry for a period of at least one month**. It must be demonstrated satisfactorily to the department that the new position in which the employee located is an upgrade in employment, in terms of salary and responsibilities, from the previously held position **or that the training of the person will improve the workforce in a high demand industry**. All such increases in salary shall be in addition to normal cost-of-living increases provided for in authorized labor-management contracts. If the employee was previously employed in a part-time position, the base salary for the position shall be calculated as if it were a full-time position.

620.1450. The maximum amount of tax credits allowable [pursuant to the provisions of] **through** the [individual training] **skills development** account program shall not [annually] exceed [six] **one** million dollars. **For half of this amount, the department shall give preference to applications which benefit mature workers in a high demand industry.**

[620.1560. 1. For purposes of this section, the following terms mean:

(1) "Department", the department of economic development;

(2) "Disadvantaged", an individual shall be considered disadvantaged and eligible to participate in the program if such individual meets any one of the following elements:

(a) The family income is at or below one hundred fifty percent of the poverty line;

(b) The individual is receiving public support for the care of a foster child;

(c) The individual faces serious barriers to employment including displaced homemakers; dislocated workers; veterans; or individuals who possess outdated skills;

(3) "Program", the mature worker child care program.

2. There is hereby established within the department of economic development a program to be known as the "Mature Worker Child Care Program". The program will administer a statewide community service, in cooperation with the neighborhood assistance program, to enroll disadvantaged individuals, who are fifty years of age or older, to work in child-care assignments. Enrollees may include qualified individuals who are currently participating in existing community service programs.

3. The department shall solicit proposals from organizations seeking to contract to supervise the participants. Organizations that are awarded a contract will be responsible for recruiting and training participants, locating child-care assignments, and paying participants. Contract proposals shall include:

(1) A requirement that participants in the program be paid the federal minimum wage;

(2) A process that allows participants to work an average of twenty- four hours a week for public and not for profit day care providers and for school latch-key programs that provide before- and after-school care;

(3) A description of the range of services to be performed by program participants, including, but not limited to, child care, food preparation, transportation, activity coordination, and clerical duties;

(4) A requirement that the participating facilities provide proof of required licensure under sections 210.201 to 210.259, RSMo, with the exception of the public school system.

4. The program shall be implemented by July 1, 2000, and shall be funded through general revenue funds with

no more than twelve percent of the funds to be used for administrative purposes.

5. In addition to tax credits currently available under the neighborhood assistance program, a participating facility shall be allowed a credit against the tax imposed by chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, and chapter 147, 148 or 153, RSMo, pursuant to this section. The amount of tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed. Taxpayers eligible for such tax credit may transfer, sell or assign them. Individual salaries up to ten thousand dollars per program participant each taxable year are eligible for the tax credit which shall not exceed twenty-five percent of the eligible salary amount. Total tax credits taken through the program shall not exceed two million dollars.

6. The department of economic development shall verify all tax credit claims by participating facilities. The tax credit allowed by this section shall apply to all taxable years beginning after December 31, 1999.

7. Subject to appropriations and to the provisions of chapter 34, RSMo, the oversight division of the committee on legislative research shall award up to thirty thousand dollars every two years for an independent evaluation of the program. Based on this program evaluation, the department shall provide a comprehensive report on the program to the speaker of the house and the president pro tem of the senate by March first of each year, beginning in 2001.]

Section B. The repeal and reenactment of sections 135.200, 135.430, 620.470 and 620.1039 of this act shall become effective January 1, 2001, and apply to tax years beginning on and after January 1, 2001.

Section C. Because of the need to reallocate and extend the tax credits contained in this act, sections 135.400, 135.403, 135.408, 135.411, 135.423, 135.484, 135.535, 348.300, 348.302, 620.1400, 620.1420, 620.1430, 620.1440 and 620.1450 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 135.400, 135.403, 135.408, 135.411, 135.423, 135.484, 135.535, 348.300, 348.302, 620.1400, 620.1420, 620.1430, 620.1440 and 620.1450 of this act shall be in full force and effect upon its passage an approval."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Bray, **House Amendment No. 1** was adopted.

Representative Auer offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 936, Page 145, Section C, Line 23, by inserting after said line the following:

"Section D. Sections 143.171 and 160.500, RSMo 1994, and section 144.030, RSMo Supp. 1999, are repealed and three new sections enacted in lieu thereof, to be known as sections 143.171, 144.030 and 160.500, to read as follows:

143.171. 1. For all tax years beginning before January 1, 1994, for an individual taxpayer and for all tax years beginning before September 1, 1993, for a corporate taxpayer, the taxpayer shall be allowed a deduction for [his] **such taxpayer's** federal income tax liability [under] **pursuant to** chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. (1) For all tax years beginning on or after January 1, 1994, an individual taxpayer shall be allowed a deduction for [his] **such taxpayer's** federal income tax liability [under] **pursuant to** chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

(2) **For all tax years beginning on or after January first of the taxable year immediately following the effective date of this act, an individual taxpayer shall be allowed a deduction for such taxpayer's federal income**

tax liability pursuant to chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed three thousand dollars on a single taxpayer's return or six thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

3. For all tax years beginning on or after September 1, 1993, a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability [under] **pursuant to** chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

4. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which [he] **the taxpayer** was not previously entitled to a Missouri deduction is later paid or accrued, [he] **such taxpayer** may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.584, RSMo; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310, RSMo) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation, slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility which converts recovered materials into a new product, or a different form which is used in producing a new product, and shall include a facility or equipment which is used exclusively for the collection of recovered

materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms "motor vehicle" and "highway" shall have the same meaning pursuant to section 301.010, RSMo;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, RSMo, solely in the transportation of persons or property in interstate commerce;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200, RSMo. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the air conservation commission which may uphold or reverse such action;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the Missouri clean water commission which may uphold or reverse such action;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased by or on behalf of a person with one or more

physical or mental disabilities to enable them to function more independently, all sales of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not for profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, solely in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not for profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530, RSMo;

(22) All sales made to any private not for profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, and all sales of farm machinery, other than airplanes, motor vehicles and trailers. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and lubricants used exclusively for such farm machinery and equipment and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use;

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536, RSMo, to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, which is ultimately consumed in connection with the manufacturing of cellular glass products;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property purchased for use or consumption directly or exclusively in the research and development of prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, RSMo, and licensed pursuant to sections 273.325 to 273.357, RSMo;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption

certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) Tangible personal property purchased for use or consumption directly or exclusively in research or experimentation activities performed by life science companies and so certified as such by the director of the department of economic development or the director's designees; except that, the total amount of exemptions certified pursuant to this section shall not exceed one million three hundred thousand dollars in state and local taxes per fiscal year. For purposes of this subdivision, the term "life science companies" means companies whose primary research activities are in agriculture, pharmaceuticals, biomedical or food ingredients, and whose North American Industry Classification System (NAICS) Codes fall under industry 541710 (biotech research or development laboratories), 621511 (medical laboratories) or 541940 (veterinary services). The exemption provided by this subdivision shall expire on June 30, 2003.

3. As of July 1, 2002, there is further specifically exempted from the provisions of the local sales tax law, as defined in section 32.085, RSMo, and from the computation of the tax levied, assessed or payable pursuant to the provisions of sections 144.757 to 144.761, retail sales of food as defined in section 144.014. Any revenue lost by counties and political subdivisions shall be replaced by additional state revenue derived from a reduction of the federal income tax deduction pursuant to subdivision (2) of subsection 2 of section 143.171, RSMo, which shall be deemed to be local tax revenue. The state treasurer shall deposit all additional state revenues derived from the reduction of the federal income tax deduction pursuant to subdivision (2) of subsection 2 of section 143.171, RSMo, into the "Local Revenue Replacement Fund" which is hereby created, less two percent for administrative costs. The money collected shall be distributed by the director of revenue solely to counties and political subdivisions in the amount necessary to replace the revenue lost by each county and political subdivision as a result of the exemption provided in this subsection; and further these moneys shall not be subject to appropriation. Any unexpended balance at the end of each biennium shall remain in the fund. The director of revenue is authorized to examine sales tax collection records for every county and political subdivision to estimate the amount of revenue derived by each county and political subdivision from its local sales tax on food and reimburse them for lost revenue accordingly.

160.500. 1. Sections 160.500 to 160.538, sections 160.545 and 160.550, sections 161.099 and 161.610, RSMo, sections 162.203 and 162.1010, RSMo, section 163.023, RSMo, sections 166.275 and 166.300, RSMo, section 170.254, RSMo, section 173.750, RSMo, and sections 178.585 and 178.698, RSMo, may be cited as the "Outstanding Schools Act" and includes provisions relating to reduced class size, the A+ schools program, funding for parents as teachers and early childhood development, teacher training, the upgrading of vocational and technical education, measures to promote accountability and other provisions of those sections.

2. There is hereby established in the state treasury the "Outstanding Schools Trust Fund". The moneys in the fund shall be available to support only the provisions, reforms and programs referenced in subsection 1 of this section or otherwise contained in [this act] **senate bill no. 380 of the eighty-seventh general assembly**. The fund shall consist of moneys required by law to be credited to such fund and moneys appropriated annually by the general assembly. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not be transferred to the credit of the general revenue fund at the end of the biennium. All yield, interest, income, increment or gain received from time deposit of moneys in the state treasury to the credit of the fund shall be credited by the state treasurer to the fund. Of all refunds made of taxes deposited into the fund, the appropriate percentage of any refund shall be paid from the fund or deducted from transfers to the fund.

3. The commissioner of administration shall estimate and furnish to the state treasurer the appropriate net increase in the amount of state tax revenues collected and any adjustments to previous estimates pursuant to [this act] **senate bill no. 380 of the eighty-seventh general assembly** from the following: the additional one and one-fourth percent tax on Missouri taxable income collected [under] **pursuant to** subsection 2 of section 143.071, RSMo; and the reduction of the federal income tax deduction pursuant to [subsections] **subdivision (1) of subsection 2 of section 143.171, RSMo, and subsection 3 of section 143.171, RSMo**, not including any change in tax collections resulting from any revision of the federal tax code made after January 1, 1993. The treasurer shall transfer monthly from general revenue an amount equal to the estimate to the outstanding schools trust fund established in subsection 2 of this section.

Section E. The repeal and reenactment of sections 143.171 and 160.500, RSMo 1994, shall become effective January 1, 2001.

Section F. The repeal and reenactment of Section 144.030, RSMo Supp. 1999, shall become effective July 1, 2001."; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Reid requested a division of the question on **House Amendment No. 2.**

House Amendment No. 2

PART I

AMEND House Substitute for House Committee Substitute for Senate Bill No. 936, Page 145, Section C, Line 23, by inserting after said line the following:

“Section D. Sections 143.171 and 160.500, RSMo 1994, and section 144.030, RSMo Supp. 1999, are repealed and three new sections enacted in lieu thereof, to be known as sections 143.171, 144.030 and 160.500, to read as follows:

143.171. 1. For all tax years beginning before January 1, 1994, for an individual taxpayer and for all tax years beginning before September 1, 1993, for a corporate taxpayer, the taxpayer shall be allowed a deduction for [his] **such taxpayer's** federal income tax liability [under] **pursuant to** chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. (1) For all tax years beginning on or after January 1, 1994, an individual taxpayer shall be allowed a deduction for [his] **such taxpayer's** federal income tax liability [under] **pursuant to** chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

(2) **For all tax years beginning on or after January first of the taxable year immediately following the effective date of this act, an individual taxpayer shall be allowed a deduction for such taxpayer's federal income tax liability pursuant to chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed three thousand dollars on a single taxpayer's return or six thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).**

3. For all tax years beginning on or after September 1, 1993, a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability [under] **pursuant to** chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

4. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which [he] **the taxpayer** was not previously entitled to a Missouri deduction is later paid or accrued, [he] **such taxpayer** may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year.”.

Representative Auer moved that **Part I of House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 009

Auer
Murray

Bray 84
O'Toole

Days
Reynolds

Farnen
Schilling

McLuckie

NOES: 147

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Britt	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Dolan	Dougherty	Elliott	Enz	Evans
Fitzwater	Foley	Ford	Foster	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Legan	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Monaco
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 005

Franklin	Lawson	Leake	Lograsso	Stokan
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VACANCIES: 001

Part II of House Amendment No. 2 was withdrawn.

HCS SS SB 936, with HS, as amended, pending, was placed on the Informal Calendar.

Speaker Gaw resumed the Chair.

MOTION

Representative Crump moved that Rule 26 be suspended to allow House conferees to meet while the House is in session on May 10, 2000.

Which motion was adopted by the following vote:

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AYES: 143

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Linton	Long	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Ransdall	Reid	Reinhart
Relford	Reynolds	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Secrest	Seigfreid	Selby	Shelton	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 009

Bartelsmeyer	Bartle	Hendrickson	Hohulin	Lograsso
Loudon	Murphy	Purgason	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Ballard	Franklin	Klindt	Leake	Ostmann
Richardson	Sallee	Scott	Shields	Stokan

VACANCIES: 001

SENATE BILL FOR THIRD READING

HCS SS SCS SB 763, relating to telemarketing, was taken up by Representative Kissell.

Representative Abel offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 10, Section 407.1095, Line 24, by inserting the following:

“(e) Made to a consumer to set an appointment or attempt to set an appointment for a subsequent face to face meeting between the consumer and the person making the call.”.

Representative Relford assumed the Chair.

Representative Gratz offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 10, Section 407.1095, Line 19, by deleting the word: "**or**"; and

Further amend said bill, Page 10, Section 407.1095, Line 11, by inserting after the word "**include**" the following: "**such**"; and

Further amend said bill, Page 10, Section 407.1095, Line 24, by inserting after the word "**list**" the following:

"**; or**"

(e) By any natural person who is licensed as a professional by any office, division, agency, or commission of this state, who makes less than one hundred of such communications per week to residential subscribers"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gratz moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

House Amendment No. 1 was withdrawn.

Representative Clayton offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 7, Section 407.1079, Line 17, by inserting at the end of said line the following:

"2. The seller and the telemarketer calling on behalf of the seller may, by written agreement, allocate responsibility between themselves for the record keeping required by this section. When a seller and telemarketer have entered into such an agreement, the terms of the agreement shall govern, and the seller or telemarketer, as the case may be, need not keep records that duplicate those of the other. If the agreement is unclear as to who must maintain any required record, or if no such agreement exists, the seller shall be responsible for complying with subdivisions (1), (2), (3) and (5) of subsection 1 of this section and the telemarketer shall be responsible for complying with subdivision (4) of subsection 1 of this section."; and

Further amend said bill, Section 407.1076, Page 6, Lines 51-53 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"(10) Knowingly provide assistance or support to any telemarketer when that person knows or consciously avoids knowing that the telemarketer is engaged in any act in violation of sections 407.1070 to 407.1085."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Monaco assumed the Chair.

On motion of Representative Clayton, **House Amendment No. 2** was adopted.

Representative Gunn offered **House Amendment No. 3**.

House Amendment No. 3 was withdrawn.

Representative Merideth offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 4, Subsection 5, Lines 14-16, by striking the following:

“and that if such consumer wishes to discontinue such call, such consumer should hang up immediately.”.

On motion of Representative Merideth, **House Amendment No. 3** was adopted.

Representative Abel offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 10, Section 407.1095, Line 24, by inserting the following:

“(e) By any natural person who makes less than seventy-five of such communications per week to residential subscribers.”.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

Representative Foley raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is dilatory.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

House Substitute Amendment No. 1 for House Amendment No. 4 was withdrawn.

Speaker Gaw resumed the Chair.

Representative Gratz offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 10, Section 407.1095, Line 24, by deleting the word "**or**"; and

Further amend said bill, Page 10, Section 407.1095, Line 11, by inserting after the word "**include**" the following: "**such**"; and

Further amend said bill, Page 10, Section 407.1095, Line 24, by inserting after the word "**list**" the following:

"**; or**

(e) any natural person who makes less than one hundred of such communications per week to residential subscribers, this exception shall not apply to any natural person employed by an entity which has telemarketing as defined in section 407.1070, RSMo, as its principal business"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Gratz, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

Representative Scheve assumed the Chair.

Representative Hendrickson offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 8, Section 407.1083, Lines 19-20, by deleting the words "**direct mail or**".

Representative Hendrickson moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Gunn offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 10, Section 407.1095, Line 15, by deleting "**sixty days**" and inserting in lieu thereof "**180 days**".

On motion of Representative Gunn, **House Amendment No. 6** was adopted.

Representative Schilling offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 11, Section 407.1104, Line 1, by deleting all of said section.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 10, Section 407.1101, Line 1, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 3, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 5, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 8, by deleting the following: "**attorney general's**" and inserting in lieu thereof the following: "**secretary of state's**"; and

Further amend said bill, page and section, Line 12, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, Page 11, Section 407.1101, Line 26, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 33, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 37, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill and page, section 407.1104, Line 1, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 2, by deleting the following: "**Attorney General's**" and inserting in lieu thereof the following: "**Secretary of State's**"; and

Further amend said bill, page and section, Line 4, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, Page 12, section 407.1104, Line 13, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 17, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 20, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 21, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, Page 13, Section 407.1104, Line 45, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, Page 14, Section 407.1113, Line 1, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 5, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 7, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 8, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 9, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 11, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**"; and

Further amend said bill, page and section, Line 12, by deleting the following: "**attorney general**" and inserting in lieu thereof the following: "**secretary of state**";

Representative Hollingsworth raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 7** is not a true substitute amendment.

Representative Scheve requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Patek, **House Substitute Amendment No. 1 for House Amendment No. 7** was adopted by the following vote:

AYES: 092

Barry 100	Bartelsmeyer	Bartle	Bennett	Berkstresser
Black	Blunt	Boatright	Bonner	Brooks
Burton	Champion	Chrismer	Cierpiot	Clayton
Crawford	Dolan	Elliott	Enz	Evans
Fitzwater	Ford	Foster	Fraser	Froelker
Gambaro	Gaskill	Gibbons	Graham 106	Gratz
Griesheimer	Gross	Hanaway	Hartzler 124	Hegeman
Hendrickson	Hilgemann	Hohulin	Hoppe	Howerton
Kelley 47	Kennedy	King	Klindt	Levin
Liese	Linton	Lograsso	Loudon	Luetkemeyer
May 108	McClelland	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	O'Toole	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reid	Reinhart	Reynolds	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Seigfreid	Shields
Skaggs	Summers	Surface	Thompson	Townley
Tudor	Vogel	Wagner	Williams 159	Wilson 42
Wright	Mr. Speaker			

NOES: 052

Abel	Akin	Alter	Auer	Barnett
Berkowitz	Boucher 48	Bray 84	Britt	Campbell
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Farnen	Foley	Franklin	George
Graham 24	Green	Hagan-Harrell	Hampton	Harlan
Hickey	Hollingsworth	Hosmer	Kelly 27	Kissell
Kreider	Lakin	Luetkenhaus	Mays 50	McKenna
McLuckie	Monaco	Murray	O'Connor	Overschmidt
Parker	Ransdall	Schilling	Selby	Shelton
Smith	Treadway	Troupe	Van Zandt	Ward
Williams 121	Wilson 25			

PRESENT: 000

ABSENT WITH LEAVE: 018

Backer	Ballard	Boykins	Gunn	Hartzler 123
Holand	Kasten	Koller	Lawson	Leake
Legan	Long	Marble	McBride	Relford
Richardson	Stokan	Wiggins		

VACANCIES: 001

Representative Schilling offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 11, Section 407.1104, Line 1, by deleting all of said section.

Representative Kissell raised a point of order that **House Amendment No. 8** is dilatory.

Representative Scheve requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Schilling, **House Amendment No. 8** was adopted.

Representative Davis (122) offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 10, Section 407.1095, Line 19, by inserting after the word "**established**" the following:

", provided that a bona fide member of such exempt organization makes the voice communication"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Davis (122), **House Amendment No. 9** was adopted.

Representative Hanaway offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 10, Section 407.1095, Line 10, by inserting after the word “**services**” the following:

“; encouraging a person to vote for or against any candidate for political office or any ballot initiative,”.

Representative Hanaway moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Crawford offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, Page 7, Section 407.1082, Line 9, by deleting the letter “**A**” and inserting in lieu thereof the letter “**B**”; and

Further amend said section, Page 8, Line 17, by deleting the letter “**A**” and inserting in lieu thereof the letter “**B**”.

Representative Crawford moved that **House Amendment No. 11** be adopted.

Which motion was defeated.

On motion of Representative Kissell, **HCS SS SCS SB 763, as amended**, was adopted by the following vote:

AYES: 145

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Bray 84	Britt	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Foster	Franklin
Fraser	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Kreider
Lakin	Lawson	Leake	Legan	Liese
Linton	Long	Loudon	Luetkenhaus	Marble
May 108	Mays 50	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface

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Thompson	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Lograsso	Luetkemeyer	Purgason	Townley
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PRESENT: 000

ABSENT WITH LEAVE: 013

Auer	Ballard	Boykins	Days	Ford
Froelker	Gunn	Koller	Levin	McBride
Murphy	Sallee	Stokan		

VACANCIES: 001

On motion of Representative Kissell, **HCS SS SCS SB 763, as amended**, was read the third time and passed by the following vote:

AYES: 141

Abel	Akin	Alter	Backer	Barry 100
Bartelsmeyer	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Bray 84	Britt	Brooks	Burton	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Evans
Farnen	Fitzwater	Foley	Foster	Franklin
Fraser	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Howerton	Kelley 47	Kennedy	King	Kissell
Klindt	Kreider	Lawson	Leake	Legan
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Relford	Reynolds
Ridgeway	Rizzo	Robirds	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Auer	Ballard	Barnett	Boykins	Ford
Froelker	Gunn	Hosmer	Kasten	Kelly 27
Koller	Lakin	Levin	McBride	Reinhart
Richardson	Riley	Ross	Sallee	Stokan
Troupe				

VACANCIES: 001

Representative Scheve declared the bill passed.

On motion of Representative Green, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Shelton moved that motion lay on the table.

The latter motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS HCS SB 858: Representatives Smith, Skaggs, Monaco, Gibbons and Ridgeway

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SB 813: Representatives Kissell, Britt, McLuckie, Dolan and Barnett

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 2** to **SJR 50**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 3 on **HCS SB 944, as amended**, and has taken up and passed **CCS #2 HCS SB 944, as amended**, by **Conference Committee Amendment No. 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SB 1053, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1591**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Bill No. 1591, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for House Bill No. 1591; and
2. That Senate Committee Substitute for House Bill No. 1591 with the attached Conference Committee Amendment No. 1 be adopted.

FOR THE HOUSE:

/s/ Gracia Backer
/s/ Tom Hoppe
/s/ Rita Days
/s/ John Griesheimer
/s/ Mark Richardson

FOR THE SENATE:

/s/ J. T. Howard
/s/ William L. Clay, Jr.
/s/ Danny Staples
/s/ Doyle Childers
/s/ Betty Sims

Conference Committee Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1591, Page 2, Section 344.040, Line 35, by deleting the word "**six**" and inserting in lieu thereof the word "**two**"; and

Further amend said bill, Page 2, Section 344.040, Line 37, by inserting after the word "**thirtieth**" the following:

"; provided, however, that nothing in this section shall prevent the board from taking any other disciplinary action against a licensee if there shall exist a cause for discipline pursuant to section 344.050"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Foley, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

SUPPLEMENTAL CALENDAR

May 10, 2000

SENATE JOINT RESOLUTION FOR THIRD READING

HCS SS SS#3 SJR 35 - Graham (24)

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1601 - Representative Liese
 House Resolution No. 1602 - Representative Treadway
 House Resolution No. 1603 - Representative Kreider
 House Resolution No. 1604
 through
 House Resolution No. 1617 - Representative Cierpiot
 House Resolution No. 1618 - Representative Farnen

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SBs 678 & 742 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILL WITH SENATE AMENDMENT

SJR 50, with House Amendment No. 2, relating to bingo, was taken up by Representative Scheve.

Representative Scheve moved that the House refuse to recede from its position on **House Amendment No. 2** to **SJR 50** and grant the Senate a conference.

Which motion was adopted by the following vote:

AYES: 139

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Britt	Brooks	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Monaco	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab

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Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Troupe	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Ballard	Berkstresser	Bray 84	Burton	Dougherty
Elliott	Hohulin	Kasten	Levin	McLuckie
Miller	Murray	Ridgeway	Riley	Sallee
Scott	Secrest	Seigfreid	Stokan	Townley
Treadway	Tudor	Wilson 25		

VACANCIES: 001

BILL IN CONFERENCE

CCR #3 HCS SB 944, as amended, relating to school safety, was taken up by Representative Smith.

On motion of Representative Smith, **CCR #3 HCS SB 944, as amended**, was adopted by the following vote:

AYES: 149

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Britt	Brooks	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Auer	Ballard	Bray 84	Burton	Elliott
Hohulin	Kasten	Levin	Naeger	Sallee
Stokan	Surface	Wilson 25		

VACANCIES: 001

On motion of Representative Smith, **CCS #2 HCS SB 944, as amended by Conference Committee Amendment No. 1**, was truly agreed to and finally passed by the following vote:

AYES: 143

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Black	Blunt	Boatright	Boucher 48	Boykins
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Auer	Ballard	Berkstresser	Bonner	Bray 84
Burton	Elliott	Hohulin	Kasten	Kelly 27
Levin	Lograsso	Naeger	Reinhart	Sallee
Stokan	Summers	Surface	Wilson 25	

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Curls, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Fraser moved that motion lay on the table.

The latter motion prevailed.

BILL CARRYING REQUEST MESSAGE

HS SB 1053, as amended, relating to profiling, was taken up by Representative Days.

Representative Days moved that the House refuse to recede from its position on **HS SB 1053, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HS SB 1053: Representatives Days, Backer, Gunn, Ross and Tudor

SJR 50: Representatives Scheve, O'Toole, Foley, Surface and Griesheimer

HS HCS SS SB 549: Representatives Van Zandt, Gaw, Smith, Gibbons and Hanaway

THIRD READING OF SENATE BILL

HCS SS SCS SBs 678 & 742, relating to judicial and administrative procedure, was taken up by Representative May (108).

Representative May (108) offered **HS HCS SS SCS SBs 678 & 742**.

Representative Hanaway raised a point of order that **HS HCS SS SCS SBs 678 & 742** goes beyond the scope of the original bill.

The Chair ruled the point of order well taken.

Representative Clayton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 30, Section 537.675, Line 29, by deleting the word "**may**"; and

Further amend said section and line by inserting after the word "**which**" the word "**shall**".

On motion of Representative Clayton, **House Amendment No. 1** was adopted.

Representative Green offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 14, Section 429.145, by striking all of said section; and

Further amend the title and enacting clause accordingly.

On motion of Representative Green, **House Amendment No. 2** was adopted.

Representative Backer offered **House Amendment No. 3**.

Representative May (108) raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Kreider offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 4, Section 67.133, Line 14, by inserting after all of said line the following:

"70.300. Whenever the contracting party is a political subdivision of this state, the execution of all contracts shall be authorized by a majority vote of the members of the governing body. Each **cooperative** contract shall be in writing and a copy filed in the office of the secretary of state [and in the office of the recorder of deeds in the county in which each contracting municipality or political subdivision is situated]."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Backer raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Kreider, **House Amendment No. 3** was adopted.

Representative May (108) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Pages 14-15, Section 429.270, Lines 16-20, by striking all of the bold-faced language on said lines and inserting in lieu thereof the following:

"It shall be a complete defense to a mechanic's lien filed against real estate in this state for the owner or lessee thereof to show that the full consideration agreed upon by the owner or lessee has been paid to the person or persons with whom the owner or lessee entered into an agreement for the improvements to the real estate to which the lien relates or would otherwise attach unless the lien claimant provides written notice to the owner or lessee via certified mail before the expiration of thirty days after the lien claimant first performs any work

or delivers any materials for the improvements to the real estate. The notice required by this section shall state the name and business address of the potential lien claimant and shall identify the date upon which the potential lien claimant first performed work or delivered materials. The provisions of this section shall not apply to residential property as defined by section 429.013.”.

On motion of Representative May (108), **House Amendment No. 4** was adopted.

Representative Green offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 10, Section 286.010, Line 24 of said page, by inserting immediately after said line the following:

"302.535. 1. Any person aggrieved by a decision of the department may file a petition for trial de novo by the circuit court. The burden of proof shall be on the state to adduce the evidence. Such trial shall be conducted pursuant to the Missouri rules of civil procedure and not as an appeal of an administrative decision pursuant to chapter 536, RSMo. The petition shall be filed in the circuit court of the county where the arrest occurred. The case shall be decided by the judge sitting without a jury. The presiding judge of the circuit court may assign a [traffic judge, pursuant to section 479.500, RSMo 1994, a] circuit judge or an associate circuit judge to hear such petition.

2. The filing of a petition for trial de novo shall not result in a stay of the suspension or revocation order. But upon the filing of such petition, a restricted driving privilege for the limited purpose of driving in connection with the petitioner's business, occupation, employment, or formal program of secondary, postsecondary or higher education shall be issued by the department if the person's driving record shows no prior alcohol related enforcement contact during the immediately preceding five years. Such limited driving privilege shall terminate on the date of the disposition of the petition for trial de novo.

3. In addition to the limited driving privilege as permitted in subsection 2 of this section, the department may upon the filing of a petition for trial de novo issue a restricted driving privilege for the limited purpose of driving in connection with the petitioner's business, occupation, employment, or formal program of secondary, postsecondary or higher education. In determining whether to issue such a restrictive driving privilege, the department shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.

4. Such time of restricted driving privilege pending disposition of trial de novo shall be counted toward any time of restricted driving privilege imposed pursuant to section 302.525. Nothing in this subsection shall be construed to prevent a person from maintaining his restricted driving privilege for an additional sixty days in order to meet the conditions imposed by section 302.540 for reinstating a person's driver's license."; and

Further amend said bill, Page 74, Section 479.150, Line 13 of said page, by inserting immediately after said line the following:

"479.500. 1. In the twenty-first judicial circuit, a majority of the circuit judges, en banc, may establish a traffic court, which shall be a division of the circuit court, and may authorize the appointment of not more than three municipal judges who shall be known as traffic judges. The traffic judges shall be appointed by a traffic court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the county executive of St. Louis County, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the traffic court judicial commission shall be established by circuit court rule.

2. Traffic judges may be authorized to act as commissioners to hear in the first instance nonfelony violations of state law involving motor vehicles, and such other offenses as may be provided by circuit court rule. Traffic judges may also be authorized to hear in the first instance violations of county and municipal ordinances involving motor vehicles, and other county ordinance violations, as provided by circuit court rule.

3. In the event that a county municipal court is established pursuant to section 66.010, RSMo, which takes jurisdiction of county ordinance violations the circuit court may then authorize the appointment of no more than two

traffic judges authorized to hear municipal ordinance violations other than county ordinance violations, and to act as commissioner to hear in the first instance nonfelony violations of state law involving motor vehicles, and such other offenses as may be provided by rule. [These traffic court judges also may be authorized to act as commissioners to hear in the first instance petitions to review decisions of the department of revenue or the director of revenue filed pursuant to sections 302.309, 302.311, 302.535 and 302.750, RSMo.]

4. In establishing a traffic court, the circuit may be divided into such sectors as may be established by a majority of the circuit and associate circuit judges, en banc. The traffic court in each sector shall hear those cases arising within the territorial limits of the sector unless a case arising within another sector is transferred as provided by operating procedures.

5. Traffic judges shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of St. Louis County, and shall receive from the state as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Each judge shall devote approximately one-third of his working time to the performance of his duties as a traffic judge. Traffic judges shall not accept or handle cases in their practice of law which are inconsistent with their duties as a traffic judge and shall not be a judge or prosecutor for any other court. Traffic judges shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

6. A majority of the judges, en banc, shall establish operating procedures for the traffic court which shall provide for regular sessions in the evenings after 6:00 p.m. and for Saturday or other sessions as efficient operation and convenience to the public may require. Proceedings in the traffic court, except when a judge is acting as a commissioner pursuant to this section, shall be conducted as provided in supreme court rule 37. The hearing shall be before a traffic judge without jury, and the judge shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. No term of imprisonment or confinement may be assessed by a traffic judge. In the event a jury trial is requested, the cause shall be certified to the circuit court for trial by jury as otherwise provided by law. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

7. In establishing operating procedure, provisions shall be made for appropriate circumstances whereby defendants may enter not guilty pleas and obtain trial dates by telephone or written communication without personal appearance, or to plead guilty and deliver by mail or electronic transfer or other approved method the specified amount of the fine and costs as otherwise provided by law, within a specified period of time.

8. Operating procedures shall be provided for electronic recording of proceedings, except that if adequate recording equipment is not provided at county expense, then, in that event, a person aggrieved by a judgment of a traffic judge or commissioner shall have the right of a trial de novo. The procedures for perfecting the right of a trial de novo shall be the same as that provided under sections 512.180 to 512.320, RSMo, except that the provisions of subsection 2 of section 512.180, RSMo, shall not apply to such cases.

9. The circuit court shall only have the authority to appoint two commissioners with the jurisdiction provided in subsection 3 of this section.

10. All costs to establish and operate a county municipal court under section 66.010, RSMo, and this section shall be borne by such county."; and

Further amend the title and enacting clause accordingly.

Representative Clayton raised a point of order that **House Amendment No. 5** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Green, **House Amendment No. 5** was adopted by the following vote:

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AYES: 089

Abel	Auer	Backer	Barry 100	Bartelsmeyer
Bartle	Berkowitz	Black	Blunt	Bonner
Boucher 48	Boykins	Campbell	Crump	Curls
Davis 122	Davis 63	Days	Enz	Evans
Farnen	Foley	Ford	Franklin	Froelker
Gaskill	George	Graham 106	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Hanaway
Hartzler 123	Hegeman	Hickey	Hilgemann	Hollingsworth
Hoppe	Kasten	Kelley 47	Kennedy	Kissell
Koller	Kreider	Lawson	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Mays 50	McClelland	McKenna
McLuckie	Merideth	Miller	Murphy	Murray
Myers	Naeger	O'Connor	O'Toole	Overschmidt
Reid	Reinhart	Reynolds	Richardson	Rizzo
Robirds	Scheve	Secrest	Selby	Shields
Skaggs	Thompson	Treadway	Troupe	Tudor
Vogel	Wagner	Wiggins	Wilson 42	

NOES: 062

Akin	Alter	Barnett	Bennett	Berkstresser
Boatright	Britt	Brooks	Chrismer	Cierpiot
Clayton	Crawford	Dolan	Elliott	Fitzwater
Foster	Fraser	Gambara	Gibbons	Griesheimer
Gross	Hartzler 124	Hendrickson	Holand	Hosmer
Howerton	Kelly 27	King	Klindt	Lakin
Lograsso	Marble	May 108	McBride	Nordwald
Ostmann	Parker	Patek	Phillips	Pouche 30
Pryor	Ransdall	Relford	Ridgeway	Riley
Ross	Sallee	Schilling	Scott	Seigfreid
Shelton	Smith	Summers	Surface	Townley
Van Zandt	Ward	Williams 121	Williams 159	Wilson 25
Wright	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 011

Ballard	Bray 84	Burton	Champion	Dougherty
Harlan	Hohulin	Monaco	Purgason	Schwab
Stokan				

VACANCIES: 001

Representative Lograsso offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 44, Section B, Line 3, by adding the following at the end of said line:

“Section 3. If a child is emancipated pursuant to any section of law, the amount of child support paid for such child shall automatically be terminated by the court at the time of emancipation. In determining the amount of child support to be paid for any other children for whom the parent is obligated to pay support, the court may use the most recent form 14 submitted to the court by both parents to recalculate the amount of child support to be paid for any other children. Either parent may file a new form 14 with the court to rebut the presumed child support amount determined by the court in accordance with this subsection.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Lograsso, **House Amendment No. 6** was adopted.

Representative May (108) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 23, Section 483.310, by deleting all of said section from the bill; and

Further amend said bill, Page 20, Section 476.690, by deleting all of said section from the bill; and

Further amend the title and enacting clause accordingly.

On motion of Representative May (108), **House Amendment No. 7** was adopted.

Representative Schilling offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 37, Section 537.693, Line 43 of said page, by inserting after all of said line the following:

"540.105. [An official reporter of the circuit court, when directed by the judge thereof, shall take down and transcribe for the use of the prosecuting or circuit attorney any or all evidence given before the grand jury.] **1. All witness testimony before a grand jury shall be recorded stenographically or by an electronic recording device. The recording or reporter's notes or any transcript prepared therefrom shall remain in the custody or control of the circuit clerk unless otherwise ordered by the court in a particular case.** Before taking down any [such] evidence, [however, such] **the** reporter shall be sworn by the foreperson of such grand jury not to divulge any of the proceedings or testimony before the grand jury or the names of any witnesses except to the prosecuting or circuit attorney or to any attorney lawfully assisting [him] in the prosecution of an indictment brought by such grand jury.

2. All testimony recorded or transcribed pursuant to this section is a closed record as provided in chapter 610, RSMo, and shall be accessible to the parties only as provided by supreme court rule.

3. Any party requesting a transcript of such testimony shall be responsible for the costs of such transcript."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schilling, **House Amendment No. 8** was adopted.

Representative Gibbons offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 26, Section 512.180, Line 1, by deleting the opening bracket on said line; and

Further amend said section, Line 6, by deleting the first closing bracket on said line; and

Further amend said section, Line 13, by deleting the "2" and inserting in lieu thereof "3".

On motion of Representative Gibbons, **House Amendment No. 9** was adopted.

Representative Backer offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 4, Section 67.133, Line 14, by adding after said line the following:

“34.040. 1. All purchases in excess of three thousand dollars shall be based on competitive bids, except as otherwise provided in this chapter.

2. On any purchase where the estimated expenditure shall be twenty-five thousand dollars or over, except as provided in subsection 5 of this section, the commissioner of administration shall:

(1) Advertise for bids in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders and may advertise in at least two weekly minority newspapers and may provide such information through an electronic medium available to the general public at least five days before bids for such purchases are to be opened. Other methods of advertisement, which may include minority business purchase councils, however, may be adopted by the commissioner of administration when such other methods are deemed more advantageous for the supplies to be purchased;

(2) Post a notice of the proposed purchase in his or her office; and

(3) Solicit bids by mail or other reasonable method generally available to the public from prospective suppliers. All bids for such supplies shall be mailed or delivered to the office of the commissioner of administration so as to reach such office before the time set for opening bids.

3. The contract shall be let to the lowest and best bidder. The commissioner of administration shall have the right to reject any or all bids and advertise for new bids, or purchase the required supplies on the open market if they can be so purchased at a better price. When bids received pursuant to this section are unreasonable or unacceptable as to terms and conditions, noncompetitive, or the low bid exceeds available funds and it is determined in writing by the commissioner of administration that time or other circumstances will not permit the delay required to resolicit competitive bids, a contract may be negotiated pursuant to this section, provided that each responsible bidder who submitted such bid under the original solicitation is notified of the determination and is given a reasonable opportunity to modify their bid and submit a best and final bid to the state. In cases where the bids received are noncompetitive or the low bid exceeds available funds, the negotiated price shall be lower than the lowest rejected bid of any responsible bidder under the original solicitation.

4. All bids shall be based on standard specifications wherever such specifications have been approved by the commissioner of administration. The commissioner of administration shall make rules governing the delivery, inspection, storage and distribution of all supplies so purchased and governing the manner in which all claims for supplies delivered shall be submitted, examined, approved and paid. The commissioner shall determine the amount of bond or deposit and the character thereof which shall accompany bids or contracts.

5. The state auditor shall annually audit cost-plus contracts to determine if the state is receiving the best price.

6. The commissioner of administration shall adopt rules to clearly delineate procedures for distributing potential bids to businesses, including publishing and receiving bids by the Internet.

7. The department of natural resources may, without the approval of the commissioner of administration required pursuant to this section, enter into contracts of up to five hundred thousand dollars to abate illegal waste tire sites pursuant to section 260.276, RSMo, when the director of the department determines that urgent action is needed to protect public health, safety, natural resources or the environment. The department shall follow bidding procedures pursuant to this section and may promulgate rules necessary to establish such procedures. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

34.046. The commissioner of administration may contract directly with other governmental entities for the purchase of supplies. The commissioner of administration may also participate in, sponsor, conduct or administer a cooperative purchasing agreement whereby supplies are procured in accordance with a contract established by another

governmental entity, **including but not limited to the federal governmental services administration**, provided that such contract was established in accordance with the laws and regulations applicable to the establishing governmental entity.

34.070. In making purchases, the commissioner of administration shall give preference to all commodities manufactured, **assembled**, mined, produced or grown within the state of Missouri [and] **by awarding bids** to all firms, corporations or individuals doing business as Missouri firms, corporations or individuals, when quality is equal or better and delivered price is the same or less. **If more than one bid is deemed of equal quality and price, there shall be a lottery conducted by the division of purchasing to determine the successful bidder.**

34.076. 1. To the extent permitted by federal laws and regulations, whenever the state of Missouri, or any department, agency or institution thereof or any political subdivision shall let for bid any contract to a contractor for any public works or product, the contractor or bidder domiciled outside the boundaries of the state of Missouri shall be required, in order to be successful, to submit a bid the same percent less than the lowest bid submitted by a responsible contractor or bidder domiciled in Missouri as would be required for such a Missouri domiciled contractor or bidder to succeed over the bidding contractor or bidder domiciled outside Missouri on a like contract or bid being let in the person's domiciliary state and, further, the contractor or bidder domiciled outside the boundaries of Missouri shall be required to submit an audited financial statement **and comply with any other requirements** as would be required of a Missouri domiciled contractor or bidder on a like contract or bid being let in the domiciliary state of that contractor or bidder.

2. Subsection 1 of this section shall not apply to any contractor who is qualified for bidding purposes with the department of transportation and submits a successful bid wherein part of or all funds are furnished by the United States.

3. Subsection 1 of this section shall not apply to any public works or product transportation where the bid is less than five thousand dollars.

[34.165. 1. In making purchases for this state, its governmental agencies or political subdivisions, the commissioner of administration shall give a bidding preference consisting of a five-point bonus on bids for products and services manufactured, produced or assembled in qualified nonprofit organizations for the blind established pursuant to the provisions of 41 U.S.C. sections 46 to 48c, as amended and in sheltered workshops holding a certificate of approval from the department of elementary and secondary education pursuant to section 178.920, RSMo.

2. The commissioner of administration shall make such rules and regulations regarding specifications, quality standards, time of delivery, performance and other relevant matters as shall be necessary to carry out the purpose of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

3. At the request of the commissioner of administration, the state auditor may examine all records, books and data of any qualified nonprofit organization for the blind to determine the costs of manufacturing products or rendering services and the manner and efficiency of production and administration of such nonprofit organization with relation to any product or services purchased by this state, its governmental agencies or political subdivisions and to furnish the results of such examination to the commissioner for appropriate action.]

37.020. 1. As used in this section, the following words and phrases mean:

(1) "Certification", the determination, through whatever procedure is used by the office of administration, that a legal entity is a socially and economically disadvantaged small business concern for purposes of this section;

(2) "Department", the office of administration and any public institution of higher learning in the state of Missouri;

(3) "Minority business enterprise", a business that is:

(a) A sole proprietorship owned and controlled by a minority;

(b) A partnership or joint venture owned and controlled by minorities in which at least fifty-one percent of the ownership interest is held by minorities and the management and daily business operations of which are controlled by one or more of the minorities who own it; or

(c) A corporation or other entity whose management and daily business operations are controlled by one or more minorities who own it, and which is at least fifty-one percent owned by one or more minorities, or if stock is issued, at least fifty-one percent of the stock is owned by one or more minorities;

(4) "Socially and economically disadvantaged individuals", individuals, regardless of gender, who have been subjected to racial, ethnic, or sexual prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities and whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area. In determining the degree of diminished credit and capital opportunities the office of administration shall consider, but not be limited to, the assets

and net worth of such individual;

(5) "Socially and economically disadvantaged small business concern", any small business concern:

(a) Which is at least fifty-one percentum owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly owned business, at least fifty-one percentum of the stock of which is owned by one or more socially and economically disadvantaged individuals; and

(b) Whose management and daily business operations are controlled by one or more of such individuals;

(6) "Women's business enterprise", a business that is:

(a) A sole proprietorship owned and controlled by a woman;

(b) A partnership or joint venture owned and controlled by women in which at least fifty-one percent of the ownership interest is held by women and the management and daily business operations of which are controlled by one or more of the women who own it; or

(c) A corporation or other entity whose management and daily business operations are controlled by one or more women who own it, and which is at least fifty-one percent owned by women, or if stock is issued, at least fifty-one percent of the stock is owned by one or more women.

2. The office of administration, in consultation with each department, shall establish and implement a plan to increase and maintain the **meaningful** participation of certified socially and economically disadvantaged small business concerns or minority business enterprises, directly or indirectly, in contracts for supplies, services, and construction contracts[, consistent with goals determined after an appropriate study conducted to determine the availability of socially and economically disadvantaged small business concerns and minority business enterprises in the marketplace. Such study shall be completed by December 31, 1991. The commissioner of administration shall appoint an oversight review committee to oversee and review the results of such study. The committee shall be composed of nine members, four of whom shall be members of business, three of whom shall be from staff of selected departments, one of whom shall be a member of the house of representatives, and one of whom shall be a member of the senate].

3. The goals to be pursued by each department under the provisions of this section shall be construed to overlap with those imposed by federal law or regulation, if any, shall run concurrently therewith and shall be in addition to the amount required by federal law only to the extent the percentage set by this section exceeds those required by federal law or regulations.

4. The office of administration shall regularly, and at least annually, audit minority business enterprise participation reports.

5. The office of administration shall conduct at least annually a public conference to discuss the state minority business enterprise program to include the latest rules, participation reports, and MBE/WBE procedures. The date and proposed agenda are to be put out on the state web site ninety days prior for public comment.

34.041. With respect to exempt sales at retail of tangible personal property and materials for the purpose of constructing, repairing or remodeling facilities for any department or agency of the state pursuant to section 8.310 or section 227.100, the department or agency shall be authorized to utilize and shall comply with, procedures established pursuant to section 144.062."

Representative Hanaway raised a point of order that **House Amendment No. 10** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Loudon offered **House Amendment No. 1 to House Amendment No. 10.**

House Amendment No. 1

to

House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 12, Section 37.020, Line 3, by adding after the word "**minority**" the words "**or disadvantaged**"; and

Further amend said section, Line 10, by adding after the “**reports**” the following:

“**including but not limited to all state government entities, the Missouri Department of Transportation and the Bi-State Development Agency**”; and

Further amend said subsection by adding after said line the following:

“**Such reports shall include:**

- a) the percentage of minority or disadvantaged business enterprise participation by project**
- b) the dollar amount paid to minority or disadvantaged business enterprises by project**
- c) the number of minority and female workers by project**”; and

Further amend said section, Line 6, by adding after the word “**minority**” the words “**disadvantaged**”.

Speaker Pro Tem Kreider assumed the Chair.

Representative Loudon moved that **House Amendment No. 1 to House Amendment No. 10** be adopted.

Which motion was defeated.

On motion of Representative Backer, **House Amendment No. 10** was adopted.

Representative May (108) offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Pages 39-40, Section 565.030, Lines 55-60, by striking all of said lines and inserting in lieu thereof the following:

“**6. As used in this section, the term “mental retardation” or “mentally retarded” refers to a condition involving substantial limitations in general functioning characterized by significantly subaverage intellectual functioning with extensive or pervasive related deficits and limitations in two or more adaptive behaviors such as communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure and work, which condition is manifested and documented before eighteen years of age.**”.

Representative Akin raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative McClelland offered **House Amendment No. 1 to House Amendment No. 11**.

House Amendment No. 1 to House Amendment No. 11 was withdrawn.

On motion of Representative May (108), **House Amendment No. 11** was adopted.

Representative Hoppe offered **House Amendment No. 12.**

Representative Monaco raised a point of order that **House Amendment No. 12** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative O'Connor offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 13, Section 375.1220, Line 31 of said page, by inserting after all of said line the following:

"407.820. Any person who is engaged or engages directly or indirectly in purposeful contacts within the state of Missouri in connection with the offering, advertising, purchasing, selling, or contracting to purchase or to sell new motor vehicles, or who, being a motor vehicle franchisor, is transacting or transacts any business with a motor vehicle franchisee who maintains a place of business within the state and with whom he has a franchise, shall be subject to the jurisdiction of the courts **and administrative agencies** of the state of Missouri, upon service of process in accordance with the provisions of section 506.510, RSMo, irrespective of whether such person is a manufacturer, importer, distributor or dealer in new motor vehicles.

407.822. 1. Any party seeking relief pursuant to the provisions of sections 407.810 to 407.835 may file an application for a hearing with the administrative hearing commission within the time periods specified in this section. The application for a hearing shall comply with the requirements for a request for agency action set forth in chapter 536, RSMo. Simultaneously, with the filing of the application for a hearing with the administrative hearing commission, the applicant shall send by certified mail, return receipt requested, a copy of the application to the party or parties against whom relief is sought. [Within ten days of] **Upon** receiving a timely application for a hearing, the administrative hearing commission shall enter an order fixing a date, time and place for a hearing on the record. [Such hearing shall be within forty-five days of the date of the order but the administrative hearing commission may continue the hearing date up to forty-five additional days by agreement of the parties or upon a finding of good cause.] The administrative hearing commission shall send by certified mail, return receipt requested, a copy of the order to the party seeking relief and to the party or parties against whom relief is sought. The order shall also state that the party against whom relief is sought shall not proceed with the initiation of its activity or activities until the administrative hearing commission issues its final decision or order, **and the party against whom relief is sought shall, within thirty days of such order, file its answer or other responsive pleading directed to each claim for relief set forth in the application for hearing. Failure to answer or otherwise respond within such time frame may be deemed by the administrative hearing commission as an admission of the grounds for relief as set forth in the application for hearing.**

2. Unless otherwise expressly provided in sections 407.810 to 407.835, the provisions of chapter 536, RSMo, shall govern hearings and prehearing procedures conducted pursuant to the authority of this section. **Any party may obtain discovery in the same manner, and under the same conditions and requirements, as is or may hereafter be provided for with respect to discovery in civil actions by rule of the supreme court of Missouri for use in the circuit courts, and the administrative hearing commission may enforce discovery by the same methods as provided by supreme court rule for use in civil cases.** The administrative hearing commission shall issue a final decision or order, in proceedings arising pursuant to the provisions of sections 407.810 to 407.835[, within sixty days from the conclusion of the hearing]. **In any proceeding initiated pursuant to sections 407.810 to 407.835 involving a matter requiring a franchisor to show good cause for any intended action being protested by a franchisee, the franchisor shall refrain from taking the protested action if, after a hearing on the matter before the administrative hearing commission, the administrative hearing commission determines that good cause does not exist for the franchisor to take such action. The franchisee may, if necessary, seek enforcement of the decision of the administrative hearing commission pursuant to the provisions of section 407.835. Venue for such proceedings shall be in the circuit court of Cole County, Missouri. In determining any relief necessary for enforcement of the decision of the administrative hearing commission, the court shall defer to the commission's**

factual findings, and review shall be limited to a determination of whether the commission's decision was authorized by law and whether the commission abused its discretion. Any final decisions of the administrative hearing commission shall be subject to review pursuant to a petition for review to be filed in the court of appeals in the district in which the hearing, or any part of the hearing, is held and by delivery of copies of the petition to each party of record, within thirty days after the mailing or delivery of the final decision and notice of the final decision in such a case. **Appeal of the administrative hearing commission's decision pursuant to this section shall not preclude any action authorized by section 407.835, brought in a court of competent jurisdiction, requesting an award of legal or equitable relief, provided that if such an action is brought solely for the purpose of enforcing a decision of the administrative hearing commission which is on appeal pursuant to this section, the court in which such action is pending may hold in abeyance its judgment pending issuance of a decision by the court of appeals.** Review pursuant to this section shall be exclusive and decisions of the administrative hearing commission reviewable pursuant to this section shall not be reviewable in any other proceeding, and no other official or court shall have power to review any such decision by an action in the nature of mandamus or otherwise, except pursuant to the provisions of this section. The party seeking review shall be responsible for the filing of the transcript and record of all proceedings before the administrative hearing commission with the appropriate court of appeals.

3. Any franchisee receiving a notice from a franchisor pursuant to the provisions of sections 407.810 to 407.835, or any franchisee adversely affected by a franchisor's acts or proposed acts described in the provisions of sections 407.810 to 407.835, shall be entitled to file an application for a hearing before the administrative hearing commission for a determination as to whether the franchisor has good cause for its acts or proposed acts.

4. Not less than sixty days before the effective date of the initiation of any enumerated act pursuant to subdivisions (5), (6), (7) and (14) of subsection 1 of section 407.825, a franchisor shall give written notice to the affected franchisee or franchisees, by certified mail, return receipt requested, except as follows:

(1) Upon the initiation of an act pursuant to subdivision (5) of subsection 1 of section 407.825, such notice shall be given not less than fifteen days before the effective date of such act only if the grounds for the notice include the following:

(a) Transfer of any ownership or interest in the franchised dealership without the consent of the motor vehicle franchisor;

(b) Material misrepresentation by the motor vehicle franchisee in applying for the franchise;

(c) Insolvency of the motor vehicle franchisee or the filing of any petition by or against the motor vehicle franchisee under any bankruptcy or receivership law;

(d) Any unfair business practice by the motor vehicle franchisee after the motor vehicle franchisor has issued a written warning to the motor vehicle franchisee to desist from such practice;

(e) Conviction of the motor vehicle franchisee of a crime which is a felony;

(f) Failure of the motor vehicle franchisee to conduct customary sales and service operations during customary business hours for at least seven consecutive business days unless such closing is due to an act of God, strike or labor difficulty or other cause over which the motor vehicle franchisee has no control; or

(g) Revocation of the motor vehicle franchisee's license;

(2) Upon initiation of an act pursuant to subdivision (7) of subsection 1 of section 407.825, such notice shall be given within sixty days of the franchisor's receipt of a written proposal to consummate such sale or transfer and the receipt of all necessary information and documents generally used by the franchisor to conduct its review. **The franchisor shall acknowledge in writing to the applicant the receipt of the information and documents and if the franchisor requires additional information or documents to complete its review, the franchisor shall notify the applicant within fifteen days of the receipt of the information and documents. If the franchisor fails to request additional information and documents from the applicant within fifteen days after receipt of the initial forms, the sixty-day time period for approval shall be deemed to run from the initial receipt date. Otherwise, the sixty-day time period for approval shall run from receipt of the supplemental requested information. In no event shall the total time period for approval exceed seventy-five days from the date of the receipt of the initial information and documents.** The franchisor's notice of disapproval shall also specify the reasonable standard which the franchisor contends is not satisfied and the reason the franchisor contends such standard is not satisfied. Failure on the part of the franchisor to provide such notice shall be conclusively deemed an approval by the franchisor of the proposed sale or transfer to the proposed transferee. A franchisee's application for a hearing shall be filed with the administrative hearing commission within twenty days from receipt of such franchisor's notice;

(3) Pursuant to paragraphs (a) and (b) of subdivision (14) of subsection 1 of section 407.825, such notice shall be given within sixty days of the franchisor's receipt of a deceased or incapacitated franchisee's designated family

member's intention to succeed to the franchise or franchises or of the franchisor's receipt of the personal and financial data of the designated family member, whichever is later.

5. A franchisor's notice to a franchisee or franchisees pursuant to subdivisions (5), (6), (7) and (14) of subsection 1 of section 407.825 shall contain a statement of the particular grounds supporting the intended action or activity which shall include any reasonable standards which were not satisfied. The notice shall also contain at a minimum, on the first page thereof, a conspicuous statement which reads as follows: "NOTICE TO FRANCHISEE: YOU MAY BE ENTITLED TO FILE A PROTEST WITH THE MISSOURI ADMINISTRATIVE HEARING COMMISSION IN JEFFERSON CITY, MISSOURI, AND HAVE A HEARING IN WHICH YOU MAY PROTEST THE CONTENTS OF THIS NOTICE. ANY ACTION MUST BE FILED WITHIN TWENTY DAYS FROM RECEIPT OF THIS NOTICE."

6. When more than one application for a hearing is filed with the administrative hearing commission, the administrative hearing commission may consolidate the applications into one proceeding to expedite the disposition of all relevant issues.

7. In all proceedings before the administrative hearing commission pursuant to this section, section 407.825 and section 621.053, RSMo, where the franchisor is required to give notice pursuant to subsection 4 of this section, the franchisor shall have the burden of proving by a preponderance of the evidence that good cause exists for its actions. In all other actions, the franchisee shall have the burden of proof."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative O'Connor, **House Amendment No. 12** was adopted.

Representative Kelly (27) offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 40, Section 565.030, Line 62 of said page, by inserting after all of said line the following:

"595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support from gainful employment. "Out-of-pocket loss" shall mean unreimbursed or unreimbursable expenses or indebtedness reasonably incurred for medical care or other services, including psychiatric, psychological or counseling expenses, necessary as a result of the crime upon which the claim is based, except that the amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two thousand five hundred dollars. [Fifty dollars shall be deducted from any award granted under sections 595.010 to 595.075, except that an award to a person sixty-five years of age or older is not subject to any deduction.]

2. No compensation shall be paid unless the division of workers' compensation finds that a crime was committed, that such crime directly resulted in personal physical injury to, or the death of, the victim, and that police records show that such crime was promptly reported to the proper authorities. In no case may compensation be paid if the police records show that such report was made more than forty-eight hours after the occurrence of such crime, unless the division of workers' compensation finds that the report to the police was delayed for good cause. If the victim is under eighteen years of age such report may be made by the victim's parent, guardian or custodian; by a physician, a nurse, or hospital emergency room personnel; by the division of family services personnel; or by any other member of the victim's family.

3. No compensation shall be paid for medical care if the service provider is not a medical provider as that term is defined in section 595.027, and the individual providing the medical care is not licensed by the state of Missouri or the state in which the medical care is provided.

4. No compensation shall be paid for psychiatric treatment or other counseling services, including psychotherapy, unless the service provider is a:

(1) Physician licensed pursuant to chapter 334, RSMo, or licensed to practice medicine in the state in which the service is provided;

(2) Psychologist licensed pursuant to chapter 337, RSMo, or licensed to practice psychology in the state in which the service is provided;

(3) Clinical social worker licensed pursuant to chapter 337, RSMo; or

(4) Professional counselor licensed pursuant to chapter 337, RSMo.

5. Any compensation paid [under] **pursuant to** sections 595.010 to 595.075 for death or personal injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or support from gainful employment, not to exceed two hundred dollars per week, resulting from such injury or death. In the event of death of the victim, an award may be made for reasonable and necessary expenses actually incurred for preparation and burial not to exceed five thousand dollars.

6. Any compensation for loss of earnings or support from gainful employment shall be in an amount equal to the actual loss sustained not to exceed two hundred dollars per week; provided, however, that no award [under] **pursuant to** sections 595.010 to 595.075 shall exceed [fifteen] **twenty-five** thousand dollars. If two or more persons are entitled to compensation as a result of the death of a person which is the direct result of a crime or in the case of a sexual assault, the compensation shall be apportioned by the division of workers' compensation among the claimants in proportion to their loss.

7. The method and timing of the payment of any compensation [under] **pursuant to** sections 595.010 to 595.075 shall be determined by the division.

595.035. 1. For the purpose of determining the amount of compensation payable pursuant to sections 595.010 to 595.075, the division of workers' compensation shall, insofar as practicable, formulate standards for the uniform application of sections 595.010 to 595.075, taking into consideration the provisions of sections 595.010 to 595.075, the rates and amounts of compensation payable for injuries and death [under] **pursuant to** other laws of this state and of the United States, excluding pain and suffering, and the availability of funds appropriated for the purpose of sections 595.010 to 595.075. All decisions of the division of workers' compensation on claims heard [under] **pursuant to** sections 595.010 to 595.075 shall be in writing, setting forth the name of the claimant, the amount of compensation and the reasons for the decision. The division of workers' compensation shall immediately notify the claimant in writing of the decision and shall forward to the state treasurer a certified copy of the decision and a warrant for the amount of the claim. The state treasurer, upon certification by the commissioner of administration, shall, if there are sufficient funds in the crime victims' compensation fund, pay to or on behalf of the claimant the amount determined by the division.

2. The crime victims' compensation fund is not a state health program and is not intended to be used as a primary payor to other health care assistance programs, but is a public, quasi-charitable fund whose fundamental purpose is to assist victims of violent crimes through a period of financial hardship, as a payor of last resort. Accordingly, any compensation paid pursuant to sections 595.010 to 595.075 shall be reduced by the amount of any payments, benefits or awards received or to be received as a result of the injury or death:

(1) From or on behalf of the offender;

(2) Under private or public insurance programs, including champus, medicare, medicaid and other state or federal programs, **but not including any life insurance proceeds**; or

(3) From any other public or private funds, including an award payable [under] **pursuant to** the workers' compensation laws of this state.

3. In determining the amount of compensation payable, the division of workers' compensation shall determine whether, because of the victim's consent, provocation, incitement or negligence, the victim contributed to the infliction of the victim's injury or death, and shall reduce the amount of the compensation or deny the claim altogether, in accordance with such determination; provided, however, that the division of workers' compensation may disregard the responsibility of the victim for his **or her** own injury where such responsibility was attributable to efforts by the victim to aid a victim, or to prevent a crime or an attempted crime from occurring in his **or her** presence, or to apprehend a person who had committed a crime in his **or her** presence or had in fact committed a felony.

4. In determining the amount of compensation payable pursuant to sections 595.010 to 595.070, monthly social security disability or retirement benefits received by the victim shall not be considered by the division as a factor for reduction of benefits.

5. The division shall not be liable for payment of compensation for any out-of-pocket expenses incurred more than three years following the date of the occurrence of the crime upon which the claim is based."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 13** was adopted.

Representative Holand offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 35, Section 537.687, Lines 1-9, by deleting all of said lines and inserting in lieu thereof the following:

“537.687. Upon request by the division for verification of injuries of victims, the claimant shall submit the information requested by the division and any costs to the claimant for providing such information may be submitted as part of the claim.”.

On motion of Representative Holand, **House Amendment No. 14** was adopted.

Representative Luetkenhaus offered **House Amendment No. 15.**

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 9, Section 286.010, Lines 1-24, by deleting all of said lines; and

Further amend the title and enacting clause accordingly.

On motion of Representative Luetkenhaus, **House Amendment No. 15** was adopted by the following vote:

AYES: 089

Abel	Akin	Alter	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Campbell	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gibbons	Graham 106	Gratz
Griesheimer	Gross	Hagan-Harrell	Hampton	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kasten	Kelley 47	Kennedy
King	Kissell	Klindt	Koller	Kreider
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
McBride	McClelland	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Schwab	Scott
Secrest	Shields	Summers	Surface	Tudor
Vogel	Wagner	Wilson 25	Wright	

NOES: 064

Auer	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Britt	Brooks	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	Gambaro	George	Graham 24
Green	Gunn	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Lakin
Leake	May 108	Mays 50	McKenna	McLuckie
Monaco	Murray	O'Connor	O'Toole	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith

Thompson	Treadway	Van Zandt	Ward	Wiggins
Williams 121	Williams 159	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 009

Ballard	Bray 84	Burton	Gaskill	Lawson
Sallee	Stokan	Townley	Troupe	

VACANCIES: 001

Representative Bonner offered **House Amendment No. 16.**

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 44, by inserting after all of said line the following:

"221.510. 1. This section hereafter shall be known as "Jake's Law" in honor of Jake Robel.

2. Every chief law enforcement official, sheriff, public jailer, private jailer, department of corrections officials and all regional jail district officials shall conduct an inquiry of pending outstanding warrants on all prisoners about to be released, whether convicted or being held on suspicion of charges.

3. No prisoner, whether convicted or being held on suspicion of charges, shall be released from one correctional facility to another prior to having a warrant check conducted by an authorized member of the correctional facility.

4. If any prisoner's warrant check indicates outstanding charges or outstanding warrants from another jurisdiction, it shall be the duty of the official requesting the warrant check to inform the agency that issued the warrant that the correctional facility has such person in custody and that prisoner shall not be released unless to the custody of the jurisdictional authority that had issued the warrant, unless the warrant has been satisfied or dismissed, or unless the warrant issuing agency has notified the correctional facility holding the prisoner that they do not wish the prisoner be transferred or the warrant to be pursued.

5. Any person may make a report to the Missouri highway patrol for violations of this section, which shall conduct an investigation. If, in the opinion of the superintendent of the highway patrol, the investigation yields reasonable grounds to believe that a violation of this section is occurring or has occurred, he or she shall refer such information to either the attorney general or the county prosecutor of the county where the violations are alleged to have occurred.

6. If an authorized member of the correctional facility fails to perform a warrant check which results in the release of a prisoner with outstanding warrants, that individual shall be guilty of a class A misdemeanor.";
and

Further amend the title and enacting clause accordingly.

On motion of Representative Bonner, **House Amendment No. 16** was adopted by the following vote:

AYES: 148

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartelsmeyer	Bennett	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Britt	Brooks	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	George	Gibbons

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Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Auer	Ballard	Bartle	Bray 84	Burton
Gaskill	Harlan	Hollingsworth	Leake	Sallee
Secrest	Stokan	Townley	Vogel	

VACANCIES: 001

Representative Summers offered **House Amendment No. 17.**

House Amendment No. 17

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 37, Section 541.020, Line 5, by inserting immediately after said line the following:

“548.131. **1.** Whenever any person within this state shall be charged on the oath of any credible person before any judge or associate circuit judge of this state with the commission of any crime in any other state and, except in cases arising [under] **pursuant to** section 548.061, with having fled from justice, or with having been convicted of a crime in that state and having escaped from confinement, or having broken the terms of [his] **such person’s** bail, probation or parole, or whenever complaint shall have been made before any judge or associate circuit judge in this state setting forth on the affidavit of any credible person in another state that a crime has been committed in such other state and that the accused has been charged in such state with the commission of the crime, and, except in cases arising [under] **pursuant to** section 548.061, has fled from justice, or with having been convicted of a crime in that state and having escaped from confinement, or having broken the terms of [his] **such person’s** bail, probation or parole, and is believed to be in this state, the judge or associate circuit judge shall issue a warrant directed to any peace officer commanding [him] **such officer** to apprehend the person named [therein] **in such warrant**, wherever [he] **such person** may be found in this state, and to bring [him] **such person** before the same or any other judge, associate circuit judge or court who or which may be available in or convenient of access to the place where the arrest may be made, to answer the charge or complaint and affidavit, and a certified copy of the sworn charge or complaint and affidavit upon which the warrant is issued shall be attached to the warrant, provided that when a complaint shall be made against any person [under] **pursuant to** the terms of this chapter, the judge or associate circuit judge [shall] **may** take from the prosecutor a bond, to the clerk of the court, with sufficient security, to secure the payment of the costs and expenses which may accrue by

occasion of the arrest and detention of the party charged, which bond shall be certified and returned, with the examination, to the office of the circuit clerk and when any such recognizance shall be forfeited, it shall inure to the benefit of the state.

2. In lieu of a bond pursuant to subsection 1 of this section, the court may order the prosecutor to place sufficient funds on deposit with the court treasury to secure the payment of costs and expenses of the accused.”; and

Further amend the title and enacting clause of said bill accordingly.

On motion of Representative Summers, **House Amendment No. 17** was adopted.

Representative Overschmidt offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 2, Section A, Line 13, by inserting the following after said line:

“34.055. 1. Except as otherwise provided in section 34.057, all invoices for supplies and services purchased by the state, duly approved and processed, shall be subject to interest charges or late payment charges as provided in this section.

2. After the forty-fifth day following the later of the date of delivery of the supplies and services or the date upon which the invoice is duly approved and processed, interest retroactive to the thirtieth day shall be paid on any unpaid balance[, except balances for services provided by a gas corporation, electrical corporation, water corporation, or sewer corporation which has received authorization from the public service commission to impose late payment charges on delinquent utility bills,] upon application of the vendor thereof. The rate of such interest shall be three percentage points above the average predominant prime rate quoted by commercial banks to large businesses, as determined by the Board of Governors of the Federal Reserve System. **After the thirtieth day following the later of the date of delivery of the supplies and services or the date upon which the invoice is duly approved and processed, a penalty of two percent of the amount due the vendor shall be paid to the vendor. The penalty shall increase by two percent for every thirty-day period thereafter in which the vendor is not paid, except that no such penalty shall exceed eighteen percent in one year.**

3. **The interest and penalties authorized in subsection 2 of this section shall not apply to balances for services provided by a gas corporation, electrical corporation, water corporation, or sewer corporation which has received authorization from the public service commission to impose late payment charges on delinquent utility bills. Balances for such services shall be subject to the interest and penalties authorized pursuant to this subsection.** The state shall be liable for late payment charges on any delinquent bill for services purchased by the state from a gas corporation, electrical corporation, water corporation, or sewer corporation which has received authorization from the public service commission to impose late payment charges on delinquent utility bills. The rate of such late payment charges shall be as established for each such corporation by order of the public service commission, but bills rendered to the state shall not be considered delinquent until thirty days after rendition of the bill by the corporation.

4. Any [such] interest charges or late payment charges shall be paid from appropriations which were made for the fiscal year in which the supplies or services were delivered to the respective departments purchasing such supplies or services. The commissioner of administration shall be responsible for the timely implementation of this section and all officers, departments, institutions and agencies of state government shall fully cooperate with the commissioner of administration in the implementation of this section. No late payment penalty shall be assessed against, nor payable by, the state unless pursuant to the provisions of this section.

5. Notwithstanding any other provision of this section, recipients of funds from the low-income energy assistance program shall be exempt from interest charges imposed by such section for the duration of the recipient's participation in the program.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative May (108) raised a point of order that **House Amendment No. 18** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Overschmidt, **House Amendment No. 18** was adopted.

Representative Ward offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 4, Section 43.503, Line 78, by inserting immediately after said line the following:

“56.066. **1.** In any county which contains facilities which are operated by the department of corrections with a total average yearly inmate population in excess of seven hundred and fifty persons but less than one thousand five hundred persons, the prosecuting attorney shall receive ten thousand dollars per annum in addition to all other compensation provided by law. In any county which contains facilities which are operated by the department of corrections with a total average yearly inmate population in excess of one thousand five hundred persons but less than three thousand persons, the prosecuting attorney shall receive twelve thousand five hundred dollars per annum in addition to all other compensation provided by law. In any county which contains facilities which are operated by the department of corrections with a total average yearly inmate population in excess of three thousand persons but less than four thousand persons, the prosecuting attorney shall receive fifteen thousand dollars per annum in addition to all other compensation provided by law. In any county which contains facilities which are operated by the department of corrections with a total average inmate population in excess of four thousand persons, the prosecuting attorney shall receive twenty thousand dollars per annum in addition to all other compensation provided by law. The compensation provided in connection with the average inmate population shall not be considered for purposes of determining any increase in compensation from January 1, 1988. The amounts provided in this subsection shall be included in the computation of the maximum allowable compensation as that term is used in section 50.333, RSMo.

2. Notwithstanding the provisions of section 56.360, the prosecuting attorney of any county of the fourth classification with a population of at least forty-eight thousand and not more than fifty thousand inhabitants shall devote full time to the prosecutor’s office, and, except for the performance of official duties, shall not engage in the practice of law.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Patek offered **House Amendment No. 1 to House Amendment No. 19**.

*House Amendment No. 1
to
House Amendment No. 19*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 1, Section 56.066, Line 3, by deleting the word “seven” and inserting in lieu thereof the word “four”.

On motion of Representative Patek, **House Amendment No. 1 to House Amendment No. 19** was adopted.

On motion of Representative Ward, **House Amendment No. 19, as amended**, was adopted.

Representative Ostmann offered **House Amendment No. 20.**

House Amendment No. 20

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 8, Section 211.029, Line 14, by inserting after all of said line the following:

"211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, RSMo, second degree murder under section 565.021, RSMo, first degree assault under section 565.050, RSMo, forcible rape under section 566.030, RSMo, forcible sodomy under section 566.060, RSMo, first degree robbery under section 569.020, RSMo, or distribution of drugs under section 195.211, RSMo, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

(1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;

(2) Whether the offense alleged involved viciousness, force and violence;

(3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;

(4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;

(5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;

(6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;

(7) The age of the child;
 (8) The program and facilities available to the juvenile court in considering disposition;
 (9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

- (1) Findings showing that the court had jurisdiction of the cause and of the parties;
- (2) Findings showing that the child was represented by counsel;
- (3) Findings showing that the hearing was held in the presence of the child and his counsel; and
- (4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. [When a petition has been dismissed thereby permitting a child to be prosecuted under the general law, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11.] If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.073. 1. The court may, in a case when the offender is [under] **less than** seventeen years of age and has been transferred to a court of general jurisdiction pursuant to section 211.071, and whose prosecution results in a conviction or a plea of guilty, invoke dual jurisdiction of both the criminal and juvenile codes, as set forth in this section. The court is authorized to impose a juvenile disposition [under] **pursuant to** this chapter and simultaneously impose an adult criminal sentence, the execution of which shall be suspended pursuant to the provisions of this section. **The court may suspend imposition of an adult criminal sentence in addition to such juvenile disposition.** Successful completion of the juvenile disposition ordered shall be a condition of the suspended adult criminal sentence. The court may order an offender into the custody of the division of youth services pursuant to this section if:

(1) A facility is designed and built by the division of youth services specifically for offenders sentenced pursuant to this section and if the division determines that there is space available, based on design capacity, in the facility; and

(2) Upon agreement of the division.

2. If there is probable cause to believe that the offender has violated a condition of the suspended sentence or committed a new offense, the court shall conduct a hearing on the violation charged, unless the offender waives such hearing. If the violation is established and found the court may continue or revoke the juvenile disposition, impose the adult criminal sentence, or enter such other order as it may see fit.

3. When an offender has received a suspended sentence pursuant to this section and the division determines the child is beyond the scope of its treatment programs, the division of youth services may petition the court for a transfer of custody of the offender. The court shall hold a hearing and shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

4. When an offender who has received a suspended sentence reaches the age of seventeen, the court shall hold a hearing. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections;

(2) Direct that the offender be placed on probation; or

(3) Direct that the offender remain in the custody of the division of youth services if the division agrees to such placement.

5. The division of youth services shall petition the court for a hearing before it releases an offender who comes within subsection 1 of this section at any time before the offender reaches the age of twenty-one years. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

6. If the suspension of the adult criminal sentence is revoked, all time served by the offender [under] **pursuant to** the juvenile disposition shall be credited toward the adult criminal sentence imposed.

7. A child certified as an adult pursuant to section 211.071 shall not be considered certified as an adult for any other purposes without a separate recertification hearing.

211.181. 1. When a child or person seventeen years of age is found by the court to come within the applicable provisions of subdivision (1) of subsection 1 of section 211.031, the court shall so decree and [make] **upon making** a finding of fact upon which it exercises its jurisdiction over the child or person seventeen years of age, [and] the court may, by order duly entered, proceed as follows:

(1) Place the child or person seventeen years of age under supervision in his **or her** own home or in the custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child or person seventeen years of age to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes; except that, such child or person seventeen years of age may not be committed to the department of social services, division of youth services;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive the child or person seventeen years of age in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child or person seventeen years of age in a family home; **or**

(4) Cause the child or person seventeen years of age to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child or person seventeen years of age requires it, cause the child or person seventeen years of age to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child or person seventeen years of age whose parents or guardian in good faith are providing other remedial treatment recognized or permitted [under] **pursuant to** the laws of this state.

2. When a child is found by the court to come within the provisions of subdivision (2) of subsection 1 of section 211.031, the court shall so decree and upon making a finding of fact upon which it exercises its jurisdiction over the child, the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his **or her** own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or place them in family homes; except that, a child may be committed to the department of social services, division of youth services, only if [he] **the child** is presently under the court's supervision after an adjudication [under] **pursuant to** the provisions of subdivision (2) or (3) of subsection 1 of section 211.031;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child in a family home;

(4) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted [under] **pursuant to** the laws of this state;

(5) Assess an amount of up to ten dollars to be paid by the child to the clerk of the court. Execution of any order entered by the court pursuant to this subsection, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may

be revoked and the suspended order executed.

3. When a child is found by the court to come within the provisions of subdivision (3) of subsection 1 of section 211.031, the court shall so decree and [make] **upon making** a finding of fact upon which [it] **the court** exercises its jurisdiction over the child, [and] the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his **or her** own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive [it] **the child** in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Beginning January 1, 1996, the court may make further directions as to placement with the division of youth services concerning the child's length of stay. The length of stay order may set forth a minimum review date;

(4) Place the child in a family home;

(5) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted [under] **pursuant to** the laws of this state;

(6) Suspend or revoke a state or local license or authority of a child to operate a motor vehicle;

(7) Order the child to make restitution or reparation for the damage or loss caused by [his] **the child's** offense. In determining the amount or extent of the damage, the court may order the juvenile officer to prepare a report and may receive other evidence necessary for such determination. The child and [his] **the child's** attorney shall have access to any reports which may be prepared, and shall have the right to present evidence at any hearing held to ascertain the amount of damages. Any restitution or reparation ordered shall be reasonable in view of the child's ability to make payment or to perform the reparation. The court may require the clerk of the circuit court to act as receiving and disbursing agent for any payment ordered;

(8) Order the child to a term of community service under the supervision of the court or of an organization selected by the court. Every person, organization, and agency, and each employee thereof, charged with the supervision of a child [under] **pursuant to** this subdivision, or who benefits from any services performed as a result of an order issued [under] **pursuant to** this subdivision, shall be immune from any suit by the child ordered to perform services [under] **pursuant to** this subdivision, or any person deriving a cause of action from such child, if such cause of action arises from the supervision of the child's performance of services [under] **pursuant to** this subdivision and if such cause of action does not arise from an intentional tort. A child ordered to perform services [under] **pursuant to** this subdivision shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo, nor shall the services of such child be deemed employment within the meaning of the provisions of chapter 288, RSMo. Execution of any order entered by the court, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed;

(9) When a child has been adjudicated to have violated a municipal ordinance or to have committed an act that would be a misdemeanor if committed by an adult, assess an amount of up to twenty-five dollars to be paid by the child to the clerk of the court; when a child has been adjudicated to have committed an act that would be a felony if committed by an adult, assess an amount of up to fifty dollars to be paid by the child to the clerk of the court;

(10) The imposition of any disposition pursuant to subdivision (3) of subsection 3 of this section may, in the court's discretion, be suspended upon such terms and conditions as the court deems just and proper. The records of any disposition, the imposition of which has been suspended, shall be closed records to the same extent as provided pursuant to section 610.105, RSMo, for a suspended imposition of sentence in a court of general jurisdiction.

4. Beginning January 1, 1996, the court may set forth in the order of commitment the minimum period during which the child shall remain in the custody of the division of youth services. No court order shall require a child to remain in the custody of the division of youth services for a period which exceeds the child's eighteenth birth date except

upon petition filed by the division of youth services pursuant to subsection 1 of section 219.021, RSMo. In any order of commitment of a child to the custody of the division of youth services, the division shall determine the appropriate program or placement pursuant to subsection 3 of section 219.021, RSMo. Beginning January 1, 1996, the department shall not discharge a child from the custody of the division of youth services before the child completes the length of stay determined by the court in the commitment order unless the committing court orders otherwise. The director of the division of youth services may at any time petition the court for a review of a child's length of stay commitment order, and the court may, upon a showing of good cause, order the early discharge of the child from the custody of the division of youth services. The division may discharge the child from the division of youth services without a further court order after the child completes the length of stay determined by the court or may retain the child for any period after the completion of the length of stay in accordance with the law.

5. When an assessment has been imposed [under] **pursuant to** the provisions of subsection 2 or 3 of this section, the assessment shall be paid to the clerk of the court in the circuit where the assessment is imposed by court order, to be deposited in a fund established for the sole purpose of payment of judgments entered against children in accordance with section 211.185."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ostmann, **House Amendment No. 20** was adopted.

Representative May (108) offered **House Amendment No. 21**.

House Amendment No. 21

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Pages 20 to 21, Section 478.009, by deleting all of said section and inserting in lieu thereof the following:

"478.001. **1. Drug and alcohol abuse** courts may be established by any circuit court pursuant to sections 478.001 to 478.006 to provide an alternative for the judicial system to dispose of cases which stem from drug **and alcohol** use. A drug **and alcohol abuse** court shall combine judicial supervision, drug **and alcohol** testing and treatment of drug **and alcohol abuse** court participants. Except for good cause found by the court, a drug **and alcohol abuse** court making a referral for substance abuse treatment, when such program will receive state or federal funds in connection with such referral, shall refer the person only to a program which is certified by the department of mental health, unless no appropriate certified treatment program is located within the same county as the drug **and alcohol abuse** court. Upon successful completion of the treatment program, the charges, petition or penalty against a drug **and alcohol abuse** court participant may be dismissed, reduced or modified. Any fees received by a court from a defendant as payment for substance treatment programs shall not be considered court costs, charges or fines.

2. A court shall determine if an assessment for drug or alcohol abuse is appropriate for a defendant in any drug or alcohol-related prosecution. Such assessment shall be made before sentencing.

478.003. In any judicial circuit of this state, a majority of the judges of the circuit court may designate a judge to hear cases arising in the circuit subject to the provisions of sections 478.001 to 478.006. In lieu thereof and subject to appropriations or other funds available for such purpose, a majority of the judges of the circuit court may appoint a person or persons to act as drug **and alcohol abuse** court commissioners. Each commissioner shall be appointed for a term of four years, but may be removed at any time by a majority of the judges of the circuit court. The qualifications and compensation of the commissioner shall be the same as that of an associate circuit judge. If the compensation of a commissioner appointed pursuant to this section is provided from other than state funds, the source of such fund shall pay to and reimburse the state for the actual costs of the salary and benefits of the commissioner. The commissioner shall have all the powers and duties of a circuit judge, except that any order, judgment or decree of the commissioner shall be confirmed or rejected by an associate circuit or circuit judge by order of record entered within the time the judge could set aside such order, judgment or decree had the same been made by the judge. If so confirmed, the order, judgment or decree shall have the same effect as if made by the judge on the date of its confirmation.

478.005. **1. Each circuit court shall establish conditions for referral of proceedings to the drug and alcohol abuse court. The defendant in any criminal proceeding accepted by a drug and alcohol abuse court for disposition shall be a nonviolent person, as determined by the prosecuting attorney. Any proceeding accepted by the drug and alcohol**

abuse court program for disposition shall be upon agreement of the parties.

2. Any statement made by a participant as part of participation in the drug **and alcohol abuse** court program, or any report made by the staff of the program, shall not be admissible as evidence against the participant in any criminal, juvenile or civil proceeding. Notwithstanding the foregoing, termination from the drug **and alcohol abuse** court program and the reasons for termination may be considered in sentencing or disposition.

3. Notwithstanding any other provision of law to the contrary, drug **and alcohol abuse** court staff shall be provided with access to all records of any state or local government agency relevant to the treatment of any program participant. Upon general request, employees of all such agencies shall fully inform a drug **and alcohol abuse** court staff of all matters relevant to the treatment of the participant. All such records and reports and the contents thereof shall be treated as closed records and shall not be disclosed to any person outside of the drug **and alcohol abuse** court, and shall be maintained by the court in a confidential file not available to the public.

478.009. 1. In order to coordinate the allocation of resources available to drug and alcohol abuse courts throughout the state, there is hereby established a "Drug and Alcohol Abuse Courts Coordinating Commission" in the judicial department. The drug and alcohol abuse courts coordinating commission shall consist of one member selected by the director of the department of corrections; one member selected by the director of the department of social services; one member selected by the director of the department of mental health; one member selected by the director of the department of public safety; one member selected by the state courts administrator; and three members selected by the supreme court. The supreme court shall designate the chair of the commission. The commission shall periodically meet at the call of the chair; evaluate resources available for assessment and treatment of persons assigned to drug and alcohol abuse courts or for operation of drug and alcohol abuse courts; secure grants, funds and other property and services necessary or desirable to facilitate drug and alcohol abuse court operation; and allocate such resources among the various drug and alcohol abuse courts within the state.

2. There is hereby established in the state treasury a "Drug and Alcohol Abuse Court Resources Fund", which shall be administered by the drug and alcohol abuse courts coordinating commission. Funds available for allocation or distribution by the drug and alcohol abuse courts coordinating commission may be deposited into the drug and alcohol abuse court resources fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the drug and alcohol abuse court resources fund shall not be transferred or placed to the credit of the general revenue fund of the state at the end of each biennium, but shall remain deposited to the credit of the drug and alcohol abuse court resources fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative May (108), **House Amendment No. 21** was adopted.

Representative O'Toole offered **House Amendment No. 22**.

House Amendment No. 22

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 71, Section 478.037, Line 9, by inserting after said section the following:

“[478.401.] **488.447.** 1. The circuit and associate circuit judges of the circuit court in any city not within a county shall require any party filing a civil case in the circuit court, at the time of filing suit, to deposit with the circuit clerk a surcharge in the amount of [thirty-five] **seventy** dollars, in addition to all other court costs now or hereafter required by law or court rule, and no summons shall be issued until such surcharge has been paid. This section shall not apply to proceedings when costs are waived or paid by the state, county or municipality.

2. Such funds shall be payable to the treasury of any city not within a county to be credited to a courthouse restoration fund, which shall bear interest, to be used by any city not within a county only for the restoration, maintenance, and upkeep of the courthouses; provided, that the courthouse restoration fund may be pledged to directly or indirectly secure bonds to fund such costs. All funds collected pursuant to this section before August 28, 1995, shall be credited to the courthouse restoration fund provided for in this section, to be used pursuant to the provisions of this section.

3. This section shall expire on August 28, 2033.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative O'Toole moved that **House Amendment No. 22** be adopted.

Which motion was defeated.

Representative Riback Wilson (25) offered **House Amendment No. 23**.

House Amendment No. 23

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 25, Line 21, by inserting after all of said line the following:

"494.425. The following persons shall be disqualified from serving as a petit or grand juror:

- (1) Any person who is less than [twenty-one] **eighteen** years of age;
- (2) Any person not a citizen of the United States;
- (3) Any person not a resident of the county or city not within a county served by the court issuing the summons;
- (4) Any person who has been convicted of a felony, unless such person has been restored to [his] **such person's** civil rights;
- (5) Any person unable to read, speak and understand the English language;
- (6) Any person on active duty in the armed forces of the United States or any member of the organized militia on active duty under order of the governor;
- (7) Any licensed attorney at law;
- (8) Any judge of a court of record;
- (9) Any person who, in the judgment of the court or the board of jury commissioners, is incapable of performing the duties of a juror because of mental or physical illness or infirmity."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Gaw resumed the Chair.

On motion of Representative Riback Wilson (25), **House Amendment No. 23** was adopted by the following vote:

AYES: 081

Abel	Auer	Barry 100	Berkowitz	Blunt
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Curls	Davis 122	Davis 63	Days
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Gambara	George	Graham 24
Green	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 124	Hendrickson	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelley 47	Kelly 27	Kissell
Klindt	Koller	Kreider	Lakin	Liese
May 108	McBride	McKenna	McLuckie	Monaco
Murray	O'Connor	O'Toole	Parker	Patek
Ransdall	Relford	Reynolds	Richardson	Riley
Rizzo	Sallee	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Summers
Thompson	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 068

Akin	Alter	Backer	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Boatright	Bonner
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Dolan	Elliott	Enz	Evans
Froelker	Gaskill	Gibbons	Graham 106	Gratz
Griesheimer	Gross	Hartzler 123	Hegeman	Holand
Howerton	Kasten	Kennedy	Lawson	Leake
Legan	Levin	Linton	Lograsso	Loudon
Luetkemeyer	Luetkenhaus	Marble	Mays 50	McClelland
Merideth	Miller	Myers	Naeger	Nordwald
Ostmann	Phillips	Pouche 30	Purgason	Reid
Reinhart	Ridgeway	Robirds	Ross	Schwab
Scott	Secrest	Shields	Surface	Treadway
Troupe	Tudor	Vogel		

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Berkstresser	Burton	Dougherty	Hickey
Hohulin	King	Long	Murphy	Overschmidt
Pryor	Stokan	Townley		

VACANCIES: 001

Representative Clayton offered **House Amendment No. 24**.

House Amendment No 24

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 20, Section 476.690, Line 29, by adding immediately after said line the following:

“476.777. 1. There is hereby established in the state treasury a special fund, to be known as the “Missouri CASA Fund”. The state treasurer shall credit to and deposit in the Missouri CASA fund all moneys which may be appropriated to it by the general assembly and also any gifts, contributions, grants, bequests or other aid received from federal, private or other sources. The general assembly may appropriate moneys into the fund to support the court-appointed special advocate (CASA) program throughout the state.

2. The state treasurer shall invest moneys in the Missouri CASA fund in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo. All earnings resulting from the investment of moneys in the fund shall be credited to the Missouri CASA fund.

3. The state courts administrator shall administer and disburse moneys in the Missouri CASA fund based on the following requirements:

(1) The office of state courts administrator shall set aside funding for new start-up CASA programs throughout the state;

(2) Every recognized CASA program shall receive a base rate allocation, with availability of additional funding based on the number of children with abuse or neglect cases under the jurisdiction of the court; and

(3) All CASA programs being considered for funding shall be recognized by and affiliated with the state and national CASA associations.

4. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the Missouri CASA fund shall not revert to the credit of the general revenue fund at the end of the biennium.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Hanaway raised a point of order that **House Amendment No. 24** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Clayton, **House Amendment No. 24** was adopted.

Representative Backer offered **House Amendment No. 25**.

House Amendment No. 25

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 43, Section 2, Line 5, by inserting after said line the following:

“105.1225. 1. The office of administration and the departments of agriculture, conservation, economic development, elementary and secondary education, health, higher education, insurance, labor and industrial relations, mental health, natural resources, public safety, revenue, social services, and transportation shall each develop a technology master plan to study methods of improving the delivery and efficiency of services to members of the public. Each technology master plan shall include the description of at least one pilot project which will allow easier access and availability of agency services through Internet web site connections and other technologies. The office of administration may contract for information technology consulting services and other services deemed necessary to conduct the study. Each agency shall submit a copy of its technology master plan to the commissioner of the office of administration no later than December 31, 2000. The commissioner shall compile the master plans and submit a unified report to the speaker of the house of representatives and the president pro tempore of the senate no later than March 1, 2001.

2. The office of administration, as one of the pilot projects required pursuant to subsection 1 of this section, shall design and implement a purchasing system for supplies, as defined in section 34.010, RSMo, which may be used through the office of administration's Internet web site connection. The online purchasing system shall be available no later than January 1, 2002.

3. Each state agency shall make all of its forms available to the public via the Internet and each agency shall accept completed forms from the public via the Internet and by e-mail. Each state agency shall also develop an Internet-based flowchart detailing the process of how its services are accessible to Missouri citizens.

161.640. The department of elementary and secondary education shall establish, as one of the pilot projects in the technology master plan required pursuant to section 105.1225, RSMo, a grant program to provide funds, as appropriated by law, for any county of the fourth classification with a population of at least twenty thousand and not more than twenty-five thousand inhabitants containing a habilitation facility of the Missouri department of mental health to purchase computer software designed for the reactive acquisition of vocabulary elements.

575.060. 1. A person commits the crime of making a false declaration if, with the purpose to mislead a public servant in the performance of [his] **such public servant's duty, [he] **the person**:**

- (1) Submits any written false statement, which [he] **the person** does not believe to be true**
 - (a) In an application for any pecuniary benefit or other consideration; or**
 - (b) On a form bearing notice, authorized by law, that false statements made therein are punishable; or**
- (2) Submits or invites reliance on**
 - (a) Any writing which [he] **the person** knows to be forged, altered or otherwise lacking in authenticity; or**
 - (b) Any sample, specimen, map, boundary mark, or other object which [he] **the person** knows to be false[.];**

or

(3) Knowingly submits a false report to the state.

2. The falsity of the statement or the item [under] **pursuant to subsection 1 of this section must be as to a fact which is material to the purposes for which the statement is made or the item submitted; and the provisions of subsections 2 and 3 of section 575.040 shall apply to prosecutions [under] **pursuant to** subsection 1 of this section.**

3. It is a defense to a prosecution [under] **pursuant to subsection 1 of this section that the actor retracted the false statement or item but this defense shall not apply if the retraction was made after:**

- (1) The falsity of the statement or item was exposed; or**
- (2) The public servant took substantial action in reliance on the statement or item.**

4. The defendant shall have the burden of injecting the issue of retraction [under] **pursuant to** subsection 3 of this section.

5. Making a false declaration is a class [B] **A** misdemeanor.”.

Representative Hanaway raised a point of order that **House Amendment No. 25** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Backer, **House Amendment No. 25** was adopted.

Representative Hosmer offered **House Amendment No. 26**.

House Amendment No. 26

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 25, Line 21, by inserting at the end of said line the following:

“491.076. 1. Any statement by an elderly or disabled person, as defined in section 660.053, RSMo, made at or near the time of an alleged crime while the person is still under the stress of excitement caused by the alleged crime shall be admissible into evidence in criminal, civil and administrative proceedings in this state as substantive evidence to prove the truth of the matter asserted if:

(1) The elderly or disabled person testifies or the person is unavailable as a witness at the time of the criminal, civil or administrative proceeding due to the person’s physical or mental condition; and

(2) The court finds, in a hearing conducted outside the presence of the jury that the time, content and circumstances of the statement provide sufficient indicia of reliability.

2. A statement may not be admitted in a criminal proceeding pursuant to this section unless the prosecuting attorney makes known to the accused or the accused’s counsel his or her intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the accused or the accused’s counsel with a fair opportunity to prepare to meet the statement.

3. Nothing in this section shall be construed to limit the admissibility of statements, admissions or confessions otherwise admissible by law.”.

On motion of Representative Hosmer, **House Amendment No. 26** was adopted.

Representative Gambaro offered **House Amendment No. 27**.

House Amendment No. 27

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 14, Section 429.145, Line 1, by inserting after said line the following:

“429.015. 1. Every registered architect or corporation registered to practice architecture, every registered professional engineer or corporation registered to practice professional engineering, every registered landscape architect or corporation registered to practice landscape architecture, and every registered land surveyor or corporation registered to practice land surveying, who does any landscape architectural, architectural, engineering or land surveying work upon or performs any landscape architectural, architectural, engineering or land surveying service directly connected with the erection or repair of any building or other improvement upon land [under or by virtue of] **pursuant to any contract with the owner or lessee thereof, or such owner's or lessee's agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410,**

RSMo, upon complying with the provisions of this chapter, shall have for such person's landscape architectural, architectural, engineering or land surveying work or service so done or performed, a lien upon the building or other improvements and upon the land belonging to the owner or lessee on which the building or improvements are situated, to the extent of one acre. If the building or other improvement is upon any lot of land in any town, city or village, then the lien shall be upon such building or other improvements, and the lot or land upon which the building or other improvements are situated, to secure the payment for the landscape architectural, architectural, engineering or land surveying work or service so done or performed. For purposes of this section, a corporation engaged in the practice of architecture, engineering, landscape architecture, or land surveying, shall be deemed to be registered if the corporation itself is registered [under] **pursuant to** the laws of this state to practice architecture, engineering or land surveying.

2. Every mechanic or other person who shall do or perform any work or labor upon or furnish any material or machinery for the digging of a well to obtain water [under or by virtue of] **pursuant to** any contract with the owner or lessee thereof, or such owner's or lessee's agent, trustee, contractor or subcontractor, upon complying with the provisions of sections 429.010 to 429.340 shall have for such person's work or labor done, or materials or machinery furnished, a lien upon the land belonging to such owner or lessee on which the same are situated, to the extent of one acre, to secure the payment of such work or labor done, or materials or machinery furnished as aforesaid.

3. Every mechanic or other person who shall do or perform any work or labor upon, or furnish any material, fixtures, engine, boiler or machinery, for the purpose of demolishing or razing a building or structure [under or by virtue of] **pursuant to** any contract with the owner or lessee thereof, or such owner's or lessee's agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410, RSMo, upon complying with the provisions of sections 429.010 to 429.340, shall have for such person's work or labor done, or materials, fixtures, engine, boiler or machinery furnished, a lien upon the land belonging to such owner or lessee on which the same are situated, to the extent of one acre. If the building or buildings to be demolished or razed are upon any lot of land in any town, city or village, then the lien shall be upon the lot or lots or land upon which the building or other improvements are situated, to secure the payment for the labor and materials performed.

4. **If a city, town, or village or county with a charter form of government has, with or without a contract, ordered a mechanic or other person to perform the work described in subsection 3 of this section, and if that city, town, village or county has paid the mechanic or other person in full at any time within one hundred twenty days after the mechanic or other person has completed such work, then that city, town, village or county shall, upon complying with the provisions of sections 429.010 to 429.340, have a lien on the property in lieu of the lien that the mechanic or other person would have had pursuant to subsection 3 of this section.**

5. The provisions of sections 429.030 to 429.060 and sections 429.080 to 429.430 applicable to liens of mechanics and other persons shall apply to and govern the procedure with respect to the liens provided for in subsections 1, 2 [and] , 3 **and 4** of this section.

[5.] 6. Any design professional or corporation authorized to have lien rights [under] **pursuant to** subsection 1 of this section shall have a lien upon the building or other improvement and upon the land, whether or not actual construction of the planned work or improvement has commenced if:

(1) The owner or lessee thereof, or such owner's or lessee's agent or trustee, contracted for such professional services directly with the design professional or corporation asserting the lien; [and]

(2) The owner or lessee is the owner or lessee of such real property either at the time the contract is made or at the time the lien is filed; **and**

(3) The agreement is in writing.

[6.] 7. Priority between a design professional or corporation lien claimant and any other mechanic's lien claimant shall be determined pursuant to the provisions of section 429.260 on a pro rata basis.

[7.] 8. In any civil action, the owner or lessee may assert defenses which include that the actual construction of the planned work or improvement has not been performed in compliance with the professional services contract, is impracticable or is economically infeasible.

[8. The agreement is in writing.] “; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Gambaro, **House Amendment No. 27** was adopted.

Representative Secrest offered **House Amendment No. 28.**

House Amendment No. 28

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 43, Section 621.198, Lines 6-11, by deleting all of said lines from the bill.

On motion of Representative Secrest, **House Amendment No. 28** was adopted.

Representative Monaco offered **House Amendment No. 29.**

House Amendment No. 29

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 27, Section 514.440, after Line 15, by inserting the following:

“514.440. **1. Except as provided in subsection 2**, the judges of the circuit court, en banc, in any circuit in this state, by rule of court adopted prior to January 1, [1997] **2001**, may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in the amount of not to exceed fifteen dollars in addition to all other deposits required by law or court rule. Sections 514.440 to 514.460 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. In any circuit wholly within a county of the first classification with a charter form of government having a courthouse in two different cities within the county, the judges of the circuit court, en banc, by rule of court adopted prior to January 1, 2001, may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in the amount of not to exceed twenty dollars in addition to all other deposits required by law or court rule.

3. Sections 514.440 to 514.460 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.”.

On motion of Representative Monaco, **House Amendment No. 29** was adopted.

Representative Richardson offered **House Amendment No. 30.**

House Amendment No. 30

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 9, Section 211.185, Line 41 of said page, by striking all of said line and inserting in lieu thereof the following:

“pursuant to this section, Section 8.150 RSMo, and Section 537.045, RSMo, exceed four thousand dollars **for offenses which occur prior to September 1, 2000; and twenty thousand dollars for offenses which occur on and after September 1, 2000.”; and**

Further amend said bill, Page 29, Section 537.045, Line 15 of said page, by striking all of said line and inserting in lieu thereof the following:

“for that judgment up to an amount not to exceed two thousand dollars **for causes of action which accrue before September 1, 2000; and for causes of action which accrue on and after September 1, 2000, twenty thousand”.**

On motion of Representative Richardson, **House Amendment No. 30** was adopted.

Representative Hegeman offered **House Amendment No. 31**.

House Amendment No. 31

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 43, Section 1, Line 1, by inserting after the Number “1.” the following:

“In all proceedings before the administrative hearing commission or any state agency, a corporation, partnership or other business entity authorized by law may be represented by counsel, the president or chief executive officer of such corporation, partnership or business entity or a person in the full time employment in a managerial capacity and designated by the president or chief executive officer to represent the corporation, partnership or business entity. In any such proceeding before the administrative hearing commission or a state agency whereby a corporation, partnership or business entity is represented by either its president or chief executive officer, or by a designated person, such person shall be afforded the opportunity to participate in the proceeding and such representation shall not be construed to be the practice of law as such term is defined in Section 484.010.

2.”; and

Further amend said section, Line 6, by deleting the Number “2” and inserting in lieu thereof the Number “3”; and

Further amend said Section, Line 12, by deleting the Number “3” and inserting in lieu thereof the Number “4”; and

Further amend the title and enacting clause accordingly.

Representative May (108) raised a point of order that **House Amendment No. 31** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Hegeman moved that **House Amendment No. 31** be adopted.

Which motion was defeated.

Representative Monaco offered **House Amendment No. 32**.

House Amendment No. 32

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 15, Section 451.080, Line 23, by inserting immediately after said section the following:

“452.370. 1. Except as otherwise provided in subsection 6 of section 452.325, the provisions of any judgment respecting maintenance or support may be modified only upon a showing of changed circumstances so substantial and continuing as to make the terms unreasonable. In a proceeding for modification of any child support or maintenance judgment, the court, in determining whether or not a substantial change in circumstances has occurred, shall consider all financial resources of both parties, including the extent to which the reasonable expenses of either party are, or should be, shared by a spouse or other person with whom he or she cohabits, and the earning capacity of a party who is not employed. If the application of the child support guidelines and criteria set forth in section 452.340 and applicable supreme court rules to the financial circumstances of the parties would result in a change of child support from the existing amount by twenty percent or more, a prima facie showing has been made of a change of circumstances so

substantial and continuing as to make the present terms unreasonable, if the existing amount was based upon the presumed amount pursuant to the child support guidelines.

2. When the party seeking modification has met the burden of proof set forth in subsection 1 of this section, the child support shall be determined in conformity with criteria set forth in section 452.340 and applicable supreme court rules.

3. Unless otherwise agreed in writing or expressly provided in the judgment, the obligation to pay future statutory maintenance is terminated upon the death of either party or the remarriage of the party receiving maintenance.

4. Unless otherwise agreed in writing or expressly provided in the judgment, provisions for the support of a child are terminated by emancipation of the child. The parent entitled to receive child support shall have the duty to notify the parent obligated to pay support of the child's emancipation and failing to do so, the parent entitled to receive child support shall be liable to the parent obligated to pay support for child support paid following emancipation of a minor child, plus interest.

5. If a parent has made an assignment of support rights to the division of family services on behalf of the state as a condition of eligibility for benefits pursuant to the Temporary Assistance for Needy Families program and either party initiates a motion to modify the support obligation by reducing it, the state of Missouri shall be named as a party to the proceeding. The state shall be served with a copy of the motion by sending it by certified mail to the director of the division of child support enforcement.

6. The court shall have continuing personal jurisdiction over both the obligee and the obligor of a court order for child support or maintenance for the purpose of modifying such order. Both obligee and obligor shall notify, in writing, the clerk of the court in which the support or maintenance order was entered of any change of mailing address. If personal service of the motion cannot be had in this state, the motion to modify and notice of hearing shall be served outside the state as provided by supreme court rule 54.14. The order may be modified only as to support or maintenance installments which accrued subsequent to the date of personal service. For the purpose of 42 U.S.C. 666(a)(9)(C), the circuit clerk shall be considered the "appropriate agent" to receive notice of the motion to modify for the obligee or the obligor, but only in those instances in which personal service could not be had in this state.

7. If a responsive pleading raising the issues of custody or visitation is filed in response to a motion to modify child support filed at the request of the division of child support enforcement by a prosecuting attorney or circuit attorney or an attorney under contract with the division, such responsive pleading shall be severed upon request.

[8. Notwithstanding any provision of this section which requires a showing of substantial and continuing change in circumstances, in a IV-D case filed pursuant to this section by the division of child support enforcement as provided in section 454.400, RSMo, the court shall modify a support order in accordance with the guidelines and criteria set forth in supreme court rule 88.01 and any regulations thereunder if the amount in the current order differs from the amount which would be ordered in accordance with such guidelines or regulations.]; and

Further amend said bill, Section 452.556, Page 16, Line 23, by inserting immediately after said line the following:

“454.498. 1. [Notwithstanding section 452.370, RSMo, and sections 454.496 and 454.500, or any other section requiring a showing of substantial and continuing change in circumstances to the contrary, and] as provided for in subdivision (13) of subsection 2 of section 454.400 and taking into account the best interest of the child, the director shall:

(1) Modify, if appropriate, a support order being enforced under Title IV-D of the Social Security Act in accordance with the guidelines and criteria set forth in supreme court rule 88.01 **and section 452.370, RSMo** [if the amount in the current order differs from the amount that would be awarded in accordance with such guidelines]; or

(2) Use automated methods (including automated comparisons with wage or state income tax data) to identify orders eligible for review, conduct the review, identify orders eligible for adjustment and apply the adjustment to the orders eligible for adjustment under any threshold that may be established by the state.

2. If the division conducts a review pursuant to subdivision (2) of subsection 1 of this section, either party to the order may contest the adjustment within thirty days after the date of the notice of adjustment by requesting, if appropriate, a review and modification in accordance with the guidelines and criteria set forth in supreme court rule 88.01. If the review is timely requested, the division shall review and modify the order, if appropriate, in accordance with supreme court rule 88.01. The division may conduct a review pursuant to subdivision (2) of subsection 1 of this section only if the division is unable to conduct a review pursuant to subdivision (1) of subsection 1 of this section.

3. The division may review and adjust a support order upon request outside the three-year cycle [only] upon [a] demonstration by the requesting party **and in accordance with procedural rules established by the division by rule pursuant to chapter 536** [of a substantial change in circumstances which shall be determined by the division. If the division determines that an adjustment shall not be made, the division shall, within fourteen days, mail notice of such determination to the parents or other child support agency, if any].”; and

Further amend the title and enacting clause of said bill accordingly.

On motion of Representative Monaco, **House Amendment No. 32** was adopted.

Representative Britt offered **House Amendment No. 33**.

House Amendment No. 33

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 4, Section 43.503, Line 78, by inserting immediately after said line the following:

“50.550. 1. The annual budget shall present a complete financial plan for the ensuing budget year. It shall set forth all proposed expenditures for the administration, operation and maintenance of all offices, departments, commissions, courts and institutions; the actual or estimated operating deficits or surpluses from prior years; all interest and debt redemption charges during the year and expenditures for capital projects.

2. The budget shall contain adequate provisions for the expenditures necessary for the care of insane pauper patients in state hospitals, for the cost of holding elections and for the costs of holding circuit court in the county that are chargeable against the county, for the repair and upkeep of bridges other than on state highways and not in any special road district, and for the salaries, office expenses and deputy and clerical hire of all county officers and agencies.

3. In addition, the budget shall set forth in detail the anticipated income and other means of financing the proposed expenditures.

4. All receipts of the county for operation and maintenance shall be credited to the general fund, and all expenditures for these purposes shall be charged to this fund; except, that receipts from the special tax levy for roads and bridges shall be kept in a special fund and expenditures for roads and bridges may be charged to the special fund.

5. All receipts from the sale of bonds for any purpose shall be credited to the bond fund created for the purpose, and all expenditures for this purpose shall be charged to the fund. All receipts for the retirement of any bond issue shall be credited to a retirement fund for the issue, and all payments to retire the issue shall be charged to the fund. All receipts for interest on outstanding bonds and all premiums and accrued interest on bonds sold shall be credited to the interest fund, and all payments of interest on the bonds shall be charged to the interest fund.

6. Subject to the provisions of Section 50.555 the county commission may create a fund to be known as “The County Crime Reduction Fund”.

7. [6.] The county commission may create other funds as are necessary from time to time.

50.555. 1. A county commission may establish by resolution a fund whose proceeds may be expended only for the purposes provided for in subsection 3 of this section. The fund shall be designated as a county crime reduction fund and shall be under the supervision of a board of trustees consisting of one citizen of the county appointed by the presiding commissioner of the county, one citizen of the county appointed by the sheriff of the county, and one citizen of the county appointed by the county prosecuting attorney.

2. Money from the county crime reduction fund shall only be expended upon the approval of a majority of the members of the county crime reduction fund’s board of trustees and only for the purposes provided for by subsection 3 of this section.

3. Money from the county crime reduction fund shall only be expended for the following purposes:

- (1) narcotics investigation, prevention and intervention;**
- (2) payment of rewards through the sheriff’s employees;**
- (3) purchase of law enforcement related equipment and supplies for the sheriff’s office;**
- (4) matching funds for federal or state law enforcement grants;**
- (5) funding for the reporting of all state and federal crime statistics or information; and**
- (6) any law enforcement related expense, including those of the prosecuting attorney, approved by the**

board of trustees for the county crime fund that is reasonably related to investigation, preparation, trial and disposition of criminal cases before the courts of the State of Missouri.

4. The county commission may not reduce any law enforcement agency's budget as a result of funds the law enforcement agency receives from the county crime reduction fund. The crime reduction fund is to be used only as a supplement to the law enforcement agency's funding received from other county, state or federal funds.

5. County crime reduction funds shall be audited as are all other county funds.”; and

Further amend said bill, Page 38, Section 550.120, Line 21, by inserting immediately after said line the following:

“558.019. 1. This section shall not be construed to affect the powers of the governor under article IV, section 7, of the Missouri Constitution. This statute shall not affect those provisions of section 565.020, RSMo, section 558.018 or section 571.015, RSMo, which set minimum terms of sentences, or the provisions of subsections 2 through 5 of section 559.115, RSMo, relating to probation.

2. The provisions of this section shall be applicable to all classes of felonies except those set forth in chapter 195, RSMo, and those otherwise excluded in subsection 1 of this section. For the purposes of this section, "prison commitment" means and is the receipt by the department of corrections of a defendant after sentencing. For purposes of this section, prior prison commitments to the department of corrections shall not include commitment to a regimented discipline program established pursuant to section 217.378, RSMo. Other provisions of the law to the contrary notwithstanding, any defendant who has pleaded guilty to or has been found guilty of a felony other than a dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve the following minimum prison terms:

(1) If the defendant has one previous prison commitment to the department of corrections for a felony offense, the minimum prison term which the defendant must serve shall be forty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(2) If the defendant has two previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the defendant must serve shall be fifty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(3) If the defendant has three or more previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the defendant must serve shall be eighty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

3. Other provisions of the law to the contrary notwithstanding, any defendant who has pleaded guilty to or has been found guilty of a dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve a minimum prison term of eighty-five percent of the sentence imposed by the court or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first. For purposes of this section, the phrase “sentence imposed by the court” means the total aggregate sentence actually imposed by the sentencing court.

4. For the purpose of determining the minimum prison term to be served, the following calculations shall apply:

(1) A sentence of life shall be calculated to be thirty years;

(2) Any sentence either alone or in the aggregate with other consecutive sentences for crimes committed at or near the same time which is over seventy-five years shall be calculated to be seventy-five years.

5. For purposes of this section, the term "minimum prison term" shall mean time required to be served by the defendant before he is eligible for parole, conditional release or other early release by the department of corrections. Except that the board of probation and parole, in the case of consecutive sentences imposed at the same time pursuant to a course of conduct constituting a common scheme or plan, shall be authorized to convert consecutive sentences to concurrent sentences, when the board finds, after hearing with notice to the prosecuting or circuit attorney, that the sum of the terms results in an unreasonably excessive total term, taking into consideration all factors related to the crime or crimes committed and the sentences received by others similarly situated.

6. (1) A sentencing advisory commission is hereby created to consist of eleven members. One member shall be appointed by the speaker of the house. One member shall be appointed by the president pro tem of the senate. One member shall be the director of the department of corrections. Six members shall be appointed by and serve at the pleasure of the governor from among the following: the public defender commission; private citizens; a private member of the Missouri Bar; the board of probation and parole; and a prosecutor. Two members shall be appointed by the

supreme court, one from a metropolitan area and one from a rural area. All members of the sentencing commission appointed prior to August 28, 1994, shall continue to serve on the sentencing advisory commission at the pleasure of the governor.

(2) The commission shall study sentencing practices in the circuit courts throughout the state for the purpose of determining whether and to what extent disparities exist among the various circuit courts with respect to the length of sentences imposed and the use of probation for defendants convicted of the same or similar crimes and with similar criminal histories. The commission shall also study and examine whether and to what extent sentencing disparity among economic and social classes exists in relation to the sentence of death and if so, the reasons therefor. It shall compile statistics, examine cases, draw conclusions, and perform other duties relevant to the research and investigation of disparities in death penalty sentencing among economic and social classes.

(3) The commission shall establish a system of recommended sentences, within the statutory minimum and maximum sentences provided by law for each felony committed under the laws of this state. This system of recommended sentences shall be distributed to all sentencing courts within the state of Missouri. The recommended sentence for each crime shall take into account, but not be limited to, the following factors:

- (a) The nature and severity of each offense;
 - (b) The record of prior offenses by the offender;
 - (c) The data gathered by the commission showing the duration and nature of sentences imposed for each crime;
- and

(d) The resources of the department of corrections and other authorities to carry out the punishments that are imposed.

(4) The commission shall publish and distribute its system of recommended sentences on or before July 1, 1995. The commission shall study the implementation and use of the system of recommended sentences until July 1, 1998, and return a final report to the governor, the speaker of the house of representatives, and the president pro tem of the senate. Following the July 1, 1998, report, the commission may revise the recommended sentences every three years.

(5) The governor shall select a chairperson who shall call meetings of the commission as required or permitted pursuant to the purpose of the sentencing commission.

(6) The members of the commission shall not receive compensation for their duties on the commission, but shall be reimbursed for actual and necessary expenses incurred in the performance of these duties and for which they are not reimbursed by reason of their other paid positions.

(7) The circuit and associate circuit courts of this state, the office of the state courts administrator, the department of public safety, and the department of corrections shall cooperate with the commission by providing information or access to information needed by the commission. The office of the state courts administrator will provide needed staffing resources.

7. If the imposition or execution of a sentence is suspended, the court may consider ordering restorative justice methods pursuant to section 217.777, RSMo, including any or all of the following, or any other method that the court finds just or appropriate:

- (1) Restitution to any victim for costs incurred as a result of the offender's actions;
- (2) Offender treatment programs;
- (3) Mandatory community services;
- (4) Work release programs in local facilities; and
- (5) Community based residential and nonresidential programs; and

8. If the imposition or execution of a sentence is suspended for a misdemeanor, in addition to the provisions of subsection 7 of this section, the court may order the assessment and payment of a designated amount of money to a county crime reduction fund established by the county commission pursuant to § 50.555, RSMo. Said contribution shall not exceed \$1,000 for any misdemeanor offense. Any money deposited into the county crime reduction fund pursuant to this section shall only be expended pursuant to the provisions of section 50.555 RSMo. An annual audit of the fund shall be conducted by the county auditor or the state auditor.

9. [8.] The provisions of this section shall apply only to offenses occurring on or after August 28, 1994.

559.021. 1. The conditions of probation shall be such as the court in its discretion deems reasonably necessary to ensure that the defendant will not again violate the law. When a defendant is placed on probation he shall be given a certificate explicitly stating the conditions on which he is being released.

2. In addition to such other authority as exists to order conditions of probation, the court may order such conditions as the court believes will serve to compensate the victim, any dependent of the victim, or society. Such conditions may include, but shall not be limited to:

- (1) Restitution to the victim or any dependent of the victim, in an amount to be determined by the judge; and
- (2) The performance of a designated amount of free work for a public or charitable purpose, or purposes, as determined by the judge.

3. In addition to such other authority as exists to order conditions of probation, in the case of a plea of guilty in a misdemeanor case or finding of guilt in a misdemeanor case, the court may order the assessment and payment of a designated amount of money to a county crime reduction fund established by the county commission pursuant to §50.555, RSMo. Said contribution shall not exceed \$1,000 for any misdemeanor offense. Any money deposited into the county crime reduction fund pursuant to this section shall only be expended pursuant to the provisions of section 50.555 RSMo.

[3.] **4.** The defendant may refuse probation conditioned on the performance of free work. If he does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. Any county, city, person, organization, or agency, or employee of a county, city, organization or agency charged with the supervision of such free work or who benefits from its performance shall be immune from any suit by the defendant or any person deriving a cause of action from him if such cause of action arises from such supervision of performance, except for an intentional tort or gross negligence. The services performed by the defendant shall not be deemed employment within the meaning of the provisions of chapter 288, RSMo. A defendant performing services pursuant to this section shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo.

[4.] **5.** The court may modify or enlarge the conditions of probation at any time prior to the expiration or termination of the probation term.

6. The defendant may refuse probation conditioned on a payment to a county crime reduction fund. If he does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. A judge may order payment to a crime reduction fund only if such fund had been created prior to sentencing by ordinance or resolution of a county of the state of Missouri. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering the probationers to make payments. A defendant who fails to make a payment or payments to a crime reduction fund may not have his probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the defendant either willfully refused to make the payment or that the defendant willfully, intentionally and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.”.

On motion of Representative Britt, **House Amendment No. 33** was adopted.

Representative Marble offered **House Amendment No. 34.**

House Amendment No. 34

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 29, Section 535.110, Line 6, by inserting immediately after said line the following:

“536.025. 1. A rule may be made, amended or rescinded by a state agency without following the provisions of section 536.021, only if the state agency:

- (1) Finds that an immediate danger to the public health, safety or welfare requires emergency action or the rule is necessary to preserve a compelling governmental interest that requires an early effective date as permitted pursuant to this section;
- (2) Follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances;
- (3) Follows procedures which comply with the protections extended by the Missouri and United States Constitutions; and
- (4) Limits the scope of such rule to the circumstances creating an emergency and requiring emergency action.

2. At the time of or prior to the adoption of such rule, the agency shall file with the secretary of state, [and] the joint committee on administrative rules, **and the state representative and senator of the area impacted** the text of the rule together with the specific facts, reasons, and findings which support the agency's conclusion that the agency has fully complied with the requirements of subsection 1 of this section. If an agency finds that a rule is necessary to

preserve a compelling governmental interest that requires an early effective date, the agency shall certify in writing the reasons therefor.

3. Material filed with the secretary of state and the joint committee on administrative rules under the provisions of subsection 2 of this section shall be published in the Missouri Register by the secretary of state as soon as practicable after the filing thereof. Any rule adopted pursuant to this section shall be reviewed by the secretary of state to determine compliance with the requirements for its publication and adoption established in this section, and in the event that the secretary of state determines that such proposed material does not meet those requirements, the secretary of state shall not publish the rule. The secretary of state shall inform the agency of its determination, and offer the agency a chance to either withdraw the rule or to have it published as a proposed rule.

4. The committee may file with the secretary of state any comments or recommendations that the committee has concerning a proposed or final order of rulemaking. Such comments shall be published in the Missouri Register.

5. The committee may refer comments or recommendations concerning such rule to the appropriations and budget committee of the house of representatives and the appropriations committee of the senate for further action.

6. Rules adopted under the provisions of this section shall be known as "emergency rules" and shall, along with the findings and conclusions of the state agency in support of its employment of emergency procedures, be judicially reviewable under section 536.050 or other appropriate form of judicial review. The secretary of state and any employee thereof, acting in the scope of employment, shall be immune from suit in actions regarding the adoption of rules pursuant to this section.

7. A rule adopted under the provisions of this section shall clearly state the interval during which it will be in effect. Emergency rules shall not be in effect for a period exceeding one hundred eighty calendar days or thirty legislative days, whichever period is longer. For the purposes of this section, a "legislative day" is each Monday, Tuesday, Wednesday and Thursday beginning the first Wednesday after the first Monday in January and ending the first Friday after the second Monday in May, regardless of whether the legislature meets.

8. A rule adopted under the provisions of this section shall not be renewable, nor shall an agency adopt consecutive emergency rules that have substantially the same effect, although a state agency may, at any time, adopt an identical rule under normal rulemaking procedures.

9. A rule adopted under the provisions of this section may be effective not less than ten days after the filing thereof in the office of the secretary of state, or at such later date as may be specified in the rule, and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the Missouri Register as soon as practicable after the filing thereof.

10. If it is found in a contested case by an administrative or judicial fact finder that an agency rule should not have been adopted as an emergency rule as provided by subsection 1 of this section, then the administrative or judicial fact finder shall award the nonstate party who prevails, as defined in this section, its reasonable fees and expenses, as defined in this section. This award shall constitute a reviewable order. If a state agency in a contested case grants the relief sought by the party prior to a finding by an administrative or judicial fact finder that the state agency's action was based on a statement of general applicability which should not have been adopted as an emergency rule, but was in fact adopted as an emergency rule pursuant to this section, then the affected party may bring an action in circuit court of Cole County for the nonstate party's reasonable fees and expenses, as defined in this section.

11. For the purposes of this section, the following terms mean:

- (1) "Prevails", obtains a favorable order, decision, judgment or dismissal in a civil action or agency proceeding;
- (2) "Reasonable fees and expenses" includes the reasonable expenses of expert witnesses, the reasonable cost of any study, analysis, engineering report, test or project which is found by the court or agency to be necessary for the preparation of the party's case, and reasonable attorney or agent fees."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Marble, **House Amendment No. 34** was adopted.

Representative Hartzler (124) offered **House Amendment No. 35**.

House Amendment No. 35

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 43, Section 2, Line 5 of said page, by inserting after all of said line the following:

"Section 3. 1. Notwithstanding any provision of law to the contrary, a court of competent jurisdiction may issue a restraining order against persons less than eighteen years of age if it would be appropriate to issue the restraining order if the person was at least eighteen years of age, unless such order is requested by the custodial parent of such child.

2. Any person who violates a restraining order issued pursuant to this section is guilty of a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hartzler (124), **House Amendment No. 35** was adopted by the following vote:

AYES: 131

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Britt	Brooks	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foster
Franklin	Froelker	Gambaro	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Gross	Gunn
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Riley	Rizzo	Robirds	Ross	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Tudor	Vogel	Wagner	Ward
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 011

Bray 84	Davis 63	Foley	Ford	Fraser
Hagan-Harrell	Ridgeway	Scheve	Schilling	Troupe
Van Zandt				

PRESENT: 001

McLuckie

ABSENT WITH LEAVE: 019

Auer	Ballard	Berkstresser	Burton	Days
Gaskill	George	Green	Harlan	Kasten
Leake	Lograsso	Nordwald	Richardson	Sallee
Scott	Stokan	Townley	Wiggins	

VACANCIES: 001

Representative O'Toole offered **House Amendment No. 36**.

Representative Monaco raised a point of order that **House Amendment No. 36** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Gross offered **House Amendment No. 36**.

Representative Monaco raised a point of order that **House Amendment No. 36** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered **House Amendment No. 36**.

House Amendment No. 36

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 7, Section 210.865, Line 13, by adding to the end of said section the following:

“This section and section 210.870 shall only apply to children who have been found by a juvenile division of a circuit court to have committed an act which would have been a criminal act if committed by an adult.”.

On motion of Representative Froelker, **House Amendment No. 36** was adopted.

Representative Wagner offered **House Amendment No. 37**.

Representative Foley raised a point of order that **House Amendment No. 37** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Speaker Pro Tem Kreider resumed the Chair.

Representative Patek offered **House Amendment No. 37**.

Representative Monaco raised a point of order that **House Amendment No. 37** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Bennett offered **House Amendment No. 37**.

Representative May (108) raised a point of order that **House Amendment No. 37** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Graham (24) offered **House Amendment No. 37**.

House Amendment No. 37

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 43, Section 2, Line 5, by inserting after said line the following:

“Section 3. Revenue placed in the special trust fund pursuant to 67.582, RSMo, may also be utilized for capital improvement projects for law enforcement facilities and for the payment of any interest and principle in bonds issued for said capital improvement projects.”; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative May (108) raised a point of order that **House Amendment No. 37** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Graham (24), **House Amendment No. 37** was adopted.

Representative Akin offered **House Amendment No. 38**.

Representative May (108) raised a point of order that **House Amendment No. 38** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Smith offered **House Amendment No. 38**.

Representative Foley raised a point of order that **House Amendment No. 38** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Monaco offered **House Amendment No. 38**.

House Amendment No. 38

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 30, Section 537.045, Line 23, by adding the following new section:

“537.053. 1. Except as provided in Subsections (2) and (3) of §537.053, the General Assembly finds and declares that the consumption of alcoholic beverages, rather than the sale or furnishing or serving such beverages, is the proximate cause of any injury, including death and property damage, inflicted by an intoxicated person upon himself or upon another person. Nothing in this Section shall authorize the consumer of any alcoholic beverage to recover from the provider of such alcoholic beverage for injuries or damages suffered by such consumer of such beverages.

2. A person or entity who sells, furnishes, or serves alcoholic beverages to a person of lawful drinking age shall not become liable for injury, death or damages to other persons caused by or resulting from the negligence or intoxication of such person; provided, however, a person or entity that knowingly sells, furnishes, or serves alcoholic beverages to a person who is in a state of noticeable intoxication, and has reason to know that such person may soon operate a motor vehicle shall be liable for injury, death or damage to another person if furnishing such alcoholic beverages directly causes or combined with the negligence of such intoxicated person to directly contribute to cause such injury, death, or damage to such other person.

3. A person or entity that sells, furnishes, or serves alcoholic beverages to a minor that such person or entity has reason to know is not of lawful drinking age and has reason to know that such minor may soon operate a motor vehicle shall be liable for injury, death, or damage to another person if furnishing such alcoholic beverages, directly causes or combines with the negligence of such minor not of lawful drinking age to directly cause such injury, death, or damage to such other person.

4. No person who owns or occupies a premises shall be liable for the conduct of any person who consumes alcoholic beverages on such premises without the knowledge and without the consent of such person who owns or occupies such premises.”.

On motion of Representative Monaco, **House Amendment No. 38** was adopted.

Representative May (108) offered **House Amendment No. 39**.

House Amendment No. 39

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 43, Section 2, Line 5, by inserting the following:

“Section 3. All functions of the ethics commission regarding the implementation, storage, processing and maintenance of any electronic reporting system pursuant to Chapter 105, RSMo, and Chapter 130, RSMo, shall, effective January 1, 2001, be transferred to the data processing division established pursuant to section 37.110, RSMo, within the office of administration. The ethics commission shall retain its duties provided by law regarding the filing of reports and public access to reports.”; and

Further amend the title and enacting clause of said bill accordingly.

On motion of Representative May (108), **House Amendment No. 39** was adopted.

Representative Kelley (47) offered **House Amendment No. 40**.

House Amendment No. 40

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 9, Section 211.185, Line 53, by inserting immediately after said section the following:

“217.693. 1. To encourage and assist the governor in carrying out his or her constitutional responsibility, the board shall review thoroughly the case history and prison record of those offenders incarcerated in a correctional institution with no possibility of parole if the offender:

(1) Has no prior felony conviction;

- (2) Has served at least fifteen years of such sentence; and
- (3) Has exhausted all of such offender's appeals, in both state and federal court.

2. The board, after considerable study and review of such cases and after personally interviewing each eligible offender, shall prepare a report to the governor with a recommendation to either grant or deny executive clemency thereby making the offender eligible for parole after serving at least twenty years of the sentence. The board shall make their report to the governor within thirty days of the time of the personal interview with the qualifying offender. This report shall also be given to each offender interviewed at the same time it is presented to the Governor, thereby allowing them to assess their own progress.

3. Any offender released pursuant to this section shall be under the supervision of the board for at least five years or until the board releases such offender at a later time.

4. Nothing in this section shall limit the review of any other offender's case who has applied for clemency, nor shall it limit in any way the governor's power to grant clemency.

5. The board shall consider, but not be limited to the following criteria when making its' decision:

- (1) Length of time served;
- (2) Prison record and self-rehabilitation efforts;
- (3) Whether the history of the case included evidence of abuse, including physical, mental, emotional or sexual;
- (4) The offender's role in the crime and the degree of violence exhibited;
- (5) Whether a plea bargain was rejected and why;
- (6) The severity of the sentence received considering the offender's role in the crime;
- (7) The age and maturity of the offender at the time of the crime and any contributing influence affecting the offender's judgment;
- (8) Whether the offender has given substantial thought to a workable parole plan;
- (9) Whether new evidence has arisen showing the offender to be innocent.

6. Any offender's case reviewed pursuant to this section shall be again reviewed and a recommendation made to the governor every three years if the offender remains incarcerated.”.

Representative Kelley (47) moved that **House Amendment No. 40** be adopted.

Which motion was defeated.

Representative Hanaway offered **House Amendment No. 41**.

House Amendment No. 41

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 30, Section 537.675, Lines 4 through 23, by deleting all of said lines; and

Further amend said bill, Page 93, Section 537.675, Lines 1 through 6, by deleting all of said lines; and

Further amend said bill, Page 92, Section 537.675, Line 6, by inserting after the words “fund.]” the following:

“fund.] **Fifty percent of any final judgment awarding punitive damages after the deduction of attorneys' fees and expenses shall be deemed rendered in favor of the state of Missouri. The circuit judge shall order fifty percent of any judgment awarding punitive damages paid to the tort victims' compensation fund. No payment shall be made to the tort victims' compensation fund until the exhaustion of all appeals or while an appeal is pending, and no payment shall be to the tort victims' compensation fund in cases resolved by arbitration, mediation or compromise settlement. The circuit court judge's order is vacated in the event that the case is resolved by arbitration, mediation or compromise settlement. Nothing in this chapter shall hinder or in any way affect the right or ability of the parties to any claim or lawsuit to compromise or settle such claim or litigation on any terms and at any time the parties desire.”.**

Representative Hanaway moved that **House Amendment No. 41** be adopted.

Which motion was defeated.

Representative Hollingsworth offered **House Amendment No. 42**.

Representative Froelker raised a point of order that **House Amendment No. 42** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Gibbons offered **House Amendment No. 42**.

Representative May (108) raised a point of order that **House Amendment No. 42** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Speaker Gaw resumed the Chair.

Representative Monaco offered **House Amendment No. 42**.

House Amendment No. 42

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 40, Section 610.105, Line 12, by inserting immediately after said line the following:

“621.053. Any person authorized to protest any action taken by a motor vehicle, **motorcycle or all-terrain vehicle** manufacturer, distributor or representative pursuant to a [motor vehicle] franchise agreement may file a protest with the administrative hearing commission as provided in [sections 407.810 to 407.835, RSMo.] **chapter 407, RSMo. For cases arising pursuant to chapter 407, RSMo, the administrative hearing commission may, by rule, set a filing fee equal to the filing fee in the circuit court of Cole County.**”; and

Further amend said bill, Pages 42-43, Lines 1-21, by striking all of said section and inserting in lieu thereof the following:

“621.198. The administrative hearing commission shall publish and file with the secretary of state [independent sets of] rules of procedure for the conduct of proceedings before it. [One set of rules shall apply exclusively to proceedings in licensing cases under section 621.045. Another set of rules shall apply exclusively to challenges to agency authority brought under section 621.155. A third set of rules shall apply to sales and use and income tax disputes under section 621.050.] Rules of procedure adopted [under] **pursuant to** the authority of this section shall be designed to simplify the maintenance of actions and to enable review to be sought, where appropriate, without the need to be represented by independent counsel. [Each set of rules shall be promulgated under the procedures set forth in sections 536.020 to 536.035, RSMo.] **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.**”; and

Further amend the title and enacting clause of said bill accordingly.

On motion of Representative Monaco, **House Amendment No. 42** was adopted.

Representative Smith offered **House Amendment No. 43**.

House Amendment No. 43

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 6, Section 196.790, Line 15, by inserting after said line the following:

- "196.1014. 1. There is hereby created in the state treasury the "Missouri Tobacco Settlement Trust Fund".**
- 2. The state treasurer shall deposit to the credit of the tobacco settlement trust fund all moneys received by the state pursuant to the master settlement agreement entered into on November 23, 1998, by the state and leading United States tobacco product manufacturers.**
- 3. The state treasurer shall invest moneys in the Missouri tobacco settlement trust fund in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo.**
- 4. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the trust fund shall not revert to the credit of the general revenue fund at the end of the biennium.**
- 5. No disbursement shall be made from the Missouri tobacco settlement trust fund or any earnings resulting from the investment of such moneys until procedures for disbursement are approved by the voters and further provided by law.";** and

Further amend the title and enacting clause accordingly.

Representative Lograsso raised a point of order that **House Amendment No. 43** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Van Zandt offered **House Substitute Amendment No. 1 for House Amendment No. 43**.

*House Substitute Amendment No. 1
for
House Amendment No. 43*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 6, Section 196.790, Line 15, by inserting after said line the following:

- "196.1014. 1. There is hereby created in the state treasury the "Missouri Tobacco Settlement Trust Fund".**
- 2. The state treasurer shall deposit to the credit of the tobacco settlement trust fund all moneys received by the state pursuant to the master settlement agreement entered into on November 23, 1998, by the state and leading United States tobacco product manufacturers.**
- 3. The state treasurer shall invest moneys in the Missouri tobacco settlement trust fund in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo.**
- 4. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the trust fund shall not revert to the credit of the general revenue fund at the end of the biennium.**
- 5. No disbursement shall be made from the Missouri tobacco settlement trust fund or any earnings resulting from the investment of such moneys until procedures for disbursement are approved by the voters until June 30, 2001, whichever occurs earlier, and further provided by law.";** and

Further amend the title and enacting clause accordingly.

Representative Monaco offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 43**.

House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 43 was withdrawn.

Representative Monaco offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 43**.

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 43*

AMEND House Amendment No. 1 for House Amendment No. 43 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 2, Section 196.1014, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the following:

“5. No disbursement shall be made from the Missouri tobacco settlement trust fund or any earnings resulting from the investment of such moneys until procedures for disbursement are approved by the voters or until November 11, 2001, whichever occurs earlier, and further provided by law.”; and

Further amend the title and enacting clause accordingly.

Representative Blunt offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 43**.

Representative Monaco raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 43** is in the third degree.

The Chair ruled the point of order well taken.

On motion of Representative Monaco, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 43** was adopted by the following vote:

AYES: 146

Abel	Alter	Auer	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton

Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Legan	Levin	Liese
Lograsso	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Ransdall	Reid
Reinhart	Relford	Reynolds	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 004

Elliott	Evans	Hohulin	Richardson
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PRESENT: 000

ABSENT WITH LEAVE: 012

Akin	Ballard	Burton	Kasten	Lawson
Leake	Linton	Long	Purgason	Stokan
Townley	Wright			

VACANCIES: 001

Representative Evans offered **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 43**.

Representative Monaco raised a point of order that **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 43** is not a true amendment.

The Chair ruled the point of order well taken.

Representative Lograsso offered **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 43**.

Representative Van Zandt raised a point of order that **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 43** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 43**.

Representative Van Zandt raised a point of order that **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 43** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Patek offered **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 43**.

Representative Monaco raised a point of order that **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 43** goes beyond the scope of the bill and the amendment.

The Chair ruled the point of order well taken.

Representative Hanaway offered **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 43**.

Representative Van Zandt raised a point of order that **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 43** goes beyond the scope of the bill.

Representative Smith raised an additional point of order that **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 43** is not germane to the substitute amendment.

The Chair ruled the point of order well taken.

Representative Van Zandt moved that **House Substitute Amendment No. 1 for House Amendment No. 43, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 061

Abel	Auer	Backer	Berkowitz	Boykins
Bray 84	Britt	Brooks	Campbell	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Farnen	Fitzwater	Ford	Franklin
Fraser	Graham 24	Gratz	Gunn	Hagan-Harrell
Harlan	Hilgemann	Holand	Hollingsworth	Hosmer
Kelly 27	Kennedy	Koller	Kreider	Lakin
Leake	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	O'Toole	Ostmann	Parker
Relford	Riley	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Thompson
Van Zandt	Wiggins	Williams 121	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 091

Akin	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foley	Foster	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Green	Griesheimer
Gross	Hampton	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe

Howerton	Kelley 47	King	Kissell	Klindt
Legan	Levin	Liese	Lograsso	Loudon
Luetkemeyer	Luetkenhaus	Marble	McKenna	Merideth
Miller	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	Overschmidt	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Treadway	Troupe
Tudor	Vogel	Wagner	Ward	Williams 159
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 010

Alter	Ballard	Burton	Kasten	Lawson
Linton	Long	Rizzo	Stokan	Townley

VACANCIES: 001

Representative Lograsso requested verification of the roll call on the motion to adopt **House Substitute Amendment No. 1 for House Amendment No. 43, as amended.**

HCS SS SCS SBs 678 & 742, as amended, with House Amendment No. 43, pending, was laid over.

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCR 26 - Children, Youth and Families
SCS SCR 41 - Miscellaneous Bills and Resolutions
SCR 42 - State Parks, Natural Resources and Mining
SCR 43 - Social Services, Medicaid and the Elderly

CONFERENCE COMMITTEE REPORT ON HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 788

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for House Committee Substitute for Senate Bill No. 788, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 788, as amended;

2. That the Senate recede from its position on Senate Bill No. 788; and
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 788 be adopted.

FOR THE HOUSE:

/s/ Joan Barry
/s/ Harry Kennedy
/s/ Chuck Graham
/s/ Bill Tudor
/s/ Linda Bartelsmeyer

FOR THE SENATE:

/s/ Sidney Johnson
/s/ Joe Maxwell
/s/ Harry Wiggins
/s/ Marvin Singleton
/s/ Betty Sims

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 856**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Parts I, II, IV and V of House Substitute for House Committee Substitute for Senate Bill No. 856 with House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment No. 5 to Part I, House Amendment No. 1, House Amendment No. 2, House Substitute Amendment No. 1 for House Amendment No. 3, House Substitute Amendment No. 1 for House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, House Amendment No. 10, House Amendment No. 11 to Part II, House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, House Amendment No. 10 to Part IV, and House Amendment No. 1 to Part V, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 856, as amended;
2. That the Senate recede from its position on Senate Bill No. 856;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 856 be adopted.

FOR THE HOUSE:

/s/ Tim Harlan
/s/ James Foley
/s/ Yvonne Wilson
/s/ Annie Reinhart
/s/ Charlie Shields

FOR THE SENATE:

/s/ Joe Maxwell
/s/ Harry Wiggins
/s/ Paula Carter
/s/ Marvin Singleton
/s/ Roseann Bentley

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **SCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SS#3 SJR 35**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 1541**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Resolution No. 1541

WHEREAS, the General Assembly has a long tradition of rendering assistance to programs aimed at developing both outstanding qualities of both citizenship and leadership; and

WHEREAS, as a component of the Sue Shear Institute for Women in Public Life at the University of Missouri-St. Louis, the 21st Century Leadership Training is a week-long residential program for Missouri college women designed to stimulate interest in public policy formation and to teach women the skills necessary to succeed in this arena; and

WHEREAS, the 21st Century Leadership Training program is planning to conduct a mock legislative session at the State Capitol on Wednesday, May 24, 2000:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninetieth General Assembly, hereby grant the 21st Century Leadership Training program permission to use the House Chamber for the purpose of conducting its mock legislature on May 24, 2000, from 10:30 a.m. until noon.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SCR 44**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 763, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 813, as amended**: Senators House, Clay, Stoll, Steelman and Klarich.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1076**, entitled:

To repeal sections 163.036, 163.172 and 167.645, RSMo Supp. 1999, relating to public schools, and to enact in lieu thereof four new sections relating to the same subject, with an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 6, Senate Amendment No. 10, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1076, Page 1, In the Title, Line 4, by inserting after “**sections**” the following:

“, and with a termination date for a certain section”; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said line the following:

“105.269. 1. Any [metropolitan] school district [who has individuals who work in said district which are employed by the state of Missouri who participate in the volunteer tutoring program as provided in said section and] which has [at least] a [five percent] shortage of certified teachers may [apply to the department of elementary and secondary education for waivers to] allow retired teachers to teach [in said metropolitan school district] for up to two years without losing his or her retirement benefits. [Said retired teacher need not be in the teacher's salary scale. Said metropolitan] School [district] **districts** shall place an emphasis on hiring retired teachers to teach in areas that include but are not limited to, improving student reading, which may include elementary remedial reading and the “Read to be Ready Program” as established [under this act] **pursuant to sections 167.340 to 167.346, RSMo**, math, science, [and] special education, **or any other full-time teaching assignment, except that school district administrative assignments shall be excluded. The total number of such retired certificated teachers shall not exceed, at any one time, the greater of ten percent of the total certificated staff for that school district or five persons. Any retired certificated teacher hired pursuant to this section shall be included in the state directory of new hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section 1320b-7 and said teacher must have at least thirty years of combined service credit in Missouri public school retirement systems. No school district shall employ any person pursuant to this section until such time as the affected retirement system has completed an actuarial study assuring that implementation of the provisions of this section are cost-neutral and the system will remain actuarially sound and the system has provided written notice of such study to the district. All necessary costs shall be paid by the hiring school district and shall not exceed the school district's statutory cost limitations.**

2. [The department of elementary and secondary education shall adopt rules to implement the provisions of this

section.

3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section and section 167.640, RSMo, shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and section 167.640, RSMo, and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.] **Retirees receiving a retirement allowance pursuant to section 169.600 to 169.715, RSMo, may be employed full-time in a non-administrative position in any school district for a period of up to two years without losing his or her benefits.**

3. This section shall terminate on June 30, 2003.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1076, Page 1, In the Title, Lines 2-3, by striking “**public schools**” and inserting in lieu thereof the following: “**education**”; and

Further amend said bill, Page 10, Section 167.645, Line 99, by inserting after all of said line the following:

“178.870. Any tax imposed on property subject to the taxing power of the junior college district under article X, section 11(a) of the constitution without voter approval shall not exceed the annual rate of ten cents on the hundred dollars assessed valuation in districts having one billion dollars **five hundred million** or more assessed valuation; twenty cents on the hundred dollars assessed valuation in districts having [five] **seven hundred fifty** million dollars but less than one billion **five hundred million** dollars assessed valuation; thirty cents on the hundred dollars assessed valuation in districts having [two] **five hundred [fifty]** million dollars but less than [five] **seven hundred fifty** million dollars assessed valuation; forty cents on the hundred dollars assessed valuation in districts having less than [two] **five hundred [fifty]** million dollars assessed valuation; except that, no public junior college district having an assessed valuation in excess of one hundred million and less than two hundred fifty million which is levying an operating levy of thirty cents per one hundred dollars assessed valuation on September 28, 1975, shall increase such levy above thirty cents per one hundred dollars assessed valuation without voter approval. Tax rates specified in this section that were in effect in 1984 shall not be lowered due to an increase in assessed valuation created by general reassessment; however, the provisions of section 137.073, RSMo, or section 22(a) of article X of the Missouri Constitution are applicable. Districts which operate institutions awarding degrees above the associate degree shall not be affected by the changes provided in this section. Increases of the rate with voter approval shall be made in the manner provided in chapter 164, RSMo, for school districts.”; and

Further amend said bill, Page 10, Section B, Line 2, by striking “**and 167.645**” and inserting in lieu thereof the following: “**, 167.645 and 178.870**”; and

Further amend said bill and section, Page 11, Line 5, by striking “**and 167.645**” and inserting in lieu thereof the following: “**, 167.645 and 178.870**”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1076, Page 1, Section A, Line 3, by inserting after all of said line the following:

“160.518. 1. Consistent with the provisions contained in section 160.526, the state board of education shall develop a statewide assessment system that provides maximum flexibility for local school districts to determine the degree to which students in the public schools of the state are proficient in the knowledge, skills and competencies adopted by such board pursuant to subsection 1 of section 160.514. The statewide assessment system shall assess problem solving, analytical ability, evaluation, creativity and application ability in the different content areas and shall be performance-based to identify what students know, as well as what they are able to do, and shall enable teachers to evaluate actual academic performance. The assessment system shall neither promote nor prohibit rote memorization and shall not include existing versions of tests approved for use pursuant to the provisions of section 160.257, nor enhanced versions of such tests. The statewide assessment shall measure, where appropriate by grade level, a student's knowledge of academic subjects including, but not limited to, reading skills, writing skills, mathematics skills, world and American history, forms of government, geography and science.

2. The assessment system shall only permit the academic performance of students in each school in the state to be tracked against prior academic performance in the same school.

3. The state board of education shall suggest criteria for a school to demonstrate that its students learn the knowledge, skills and competencies at exemplary levels worthy of imitation by students in other schools in the state and nation. “Exemplary levels” shall be measured by the assessment system developed pursuant to subsection 1 of this section, or until said assessment is available, by indicators approved for such use by the state board of education. The provisions of other law to the contrary notwithstanding, the commissioner of education may, upon request of the school district, present a plan for the waiver of rules and regulations to any such school, to be known as “Outstanding Schools Waivers”, consistent with the provisions of subsection 4 of this section.

4. For any school that meets the criteria established by the state board of education for three successive school years pursuant to the provisions of subsection 3 of this section, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092, RSMo, and such other rules and regulations as determined by the commissioner of education, excepting such waivers shall be confined to the school and not other schools in the district unless such other schools meet the criteria established by the state board of education consistent with subsection 3 of this section and the waivers shall not include the requirements contained in this section and section 160.514. Any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the criteria established by the state board of education consistent with subsection 3 of this section.

5. The score on any assessment test developed pursuant to this section or this chapter of any student for whom English is a second language shall not be counted until such time as such student has been educated for three full school years in a school in this state, or in any other state, in which English is the primary language.”;
and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1076, Page 10, Section 167.645, Line 99, by inserting after all of said line the following:

“Section 1. The provisions of section 165.011 to the contrary notwithstanding, money received from the county school fund from penalties paid by a concentrated animal feeding operation as defined by the department of natural resources shall be placed to the credit of the fund or funds designated by the board.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1076, Page 10, Section 167.645, Line 99, by inserting after all of said line the following:

“167.685. 1. Any school district in this state may develop a “Teacher Cadet Program”, pursuant to this section, which shall consist of both a course offered as a full, daily class period, or the district equivalent thereof, and any other activities as the district or the department of elementary and secondary education may provide. The course may be offered at all, or any one of, the secondary schools in any such district. The course shall provide introductory instruction in the field of elementary and secondary school classroom teaching, with emphasis on instruction in mathematics and reading, and shall provide interested students with an insight into the nature and challenges of the teaching profession.

2. In order to become eligible for any teacher cadet program, a student shall:

(1) Have a cumulative secondary school grade point average of 3.0 or higher;
(2) Submit an essay to the district, in the manner that the district may provide, detailing the reasons why he or she wants to become a member of the program; and

(3) Participate in an entrance interview, in the manner that the district or the department of elementary and secondary education may provide.

3. Any student successfully completing such program shall be:

(1) Eligible for college credit at the University of Missouri or at any state college or university, in an amount to be determined by the coordinating board for higher education;

(2) Given preference in approval for any teaching scholarship offered pursuant to sections 160.276 to 160.283, RSMo, and for any other scholarships designed by this state to encourage the development of elementary and secondary school educators.

4. The department of elementary and secondary education shall develop minimum criteria for the program described in subsection 1 of this section, and any school district adopting the program shall, in addition to such other elements of any such program that the school district may provide, incorporate such criteria into such district's program.

5. No rule or portion of a rule promulgated pursuant to this section shall take effect unless such rule has been promulgated pursuant to chapter 536, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1076, Page 2, Section 160.560, Line 40, by inserting after all of said line the following:

“163.031. 1. School districts which meet the requirements of section 163.021 shall be entitled to an amount computed as follows: an amount determined by multiplying the number of eligible pupils by the lesser of the district's equalized operating levy for school purposes as defined in section 163.011 or two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor plus an amount determined by multiplying the number of eligible pupils by the greater of zero or the district's equalized operating levy for school purposes as defined in section 163.011 minus two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor. For the purposes of this section, the proration factor shall be equal to the sum of the total appropriation for distribution under subsections 1 and 2 of this section; and the state total of the deductions as calculated in subsection 2 of this section which do not exceed the district entitlements as adjusted by the same proration factor; divided by the amount of the state total of district entitlements before proration as calculated pursuant to this subsection; provided that, if the proration factor so calculated is greater than one, the proration factor for line 1(b) shall be the greater of one or the proration factor for line 1(a) minus five hundredths, and provided that if the proration factor so calculated is less than one, the proration factor for line 1(a) shall be the lesser of one or the proration factor for line 1(b) plus five hundredths.

2. From the district entitlement for each district there shall be deducted the following amounts: an amount determined by multiplying the district equalized assessed valuation by the district's equalized operating levy for school

purposes times the district income factor plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year; one hundred percent of the amount received the previous year for school purposes from intangible taxes, fines, forfeitures and escheats, payments in lieu of taxes and receipts from state assessed railroad and utility tax, except that any penalty paid after July 1, 1995, by a concentrated animal feeding operation as defined by the department of natural resources rule shall not be included; one hundred percent of the amounts received the previous year for school purposes from federal properties pursuant to sections 12.070 and 12.080, RSMo; federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less fifty thousand dollars multiplied by ninety percent or the maximum percentage allowed by federal regulation if that percentage is less than ninety; fifty percent, or the percentage otherwise provided in section 163.087, of Proposition C revenues received the previous year for school purposes from the school district trust fund pursuant to section 163.087; one hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo; and one hundred percent of the amount received the previous year for school purposes from the free textbook fund, pursuant to section 148.360, RSMo.

3. School districts which meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. There shall be individual proration factors for each categorical entitlement provided for in this subsection, and each proration factor shall be determined by annual appropriations, but no categorical proration factor shall exceed the entitlement proration factor established pursuant to subsection 1 of this section, except that the vocational education entitlement proration factor established pursuant to line 16 of subsection 6 of this section and the educational and screening program entitlements proration factor established pursuant to line 17 of subsection 6 of this section may exceed the entitlement proration factor established pursuant to subsection 1 of this section. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs pursuant to section 163.161 multiplied by the proration factor; the special education approved or allowed cost entitlement for the district, provided for by section 162.975, RSMo, multiplied by the proration factor; seventy-five percent of the district gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, multiplied by the proration factor; the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, multiplied by twenty percent, for a district with an operating levy in excess of two dollars and seventy-five cents per one hundred dollars assessed valuation, or twenty-two percent, otherwise times the guaranteed tax base per eligible pupil times two dollars and seventy-five cents per one hundred dollars assessed valuation times the proration factor plus the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, times thirty percent times the guaranteed tax base per eligible pupil times the following quantity: ((the greater of zero or the district's operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) times one or, beginning in the fifth year following the effective date of this section, the quotient of the district's fiscal instructional ratio of efficiency for the prior year divided by the fiscal year 1998 statewide average fiscal instructional ratio of efficiency, if the district's prior year fiscal instructional ratio of efficiency is at least five percent below the fiscal year 1998 statewide average) times the proration factor, minus court-ordered state desegregation aid received by the district for operating purposes **provided that an increase in the payment amount of line 14(a) shall be made by the department of elementary and secondary education, if needed, to ensure that a district receives no less total revenue from lines 14(a) and 14(b) than the district would receive if it levied an operating levy no greater than two dollars and seventy-five cents per one hundred dollars assessed valuation;** the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515, RSMo, multiplied by the proration factor; the vocational education entitlement for the district, as provided for in section 167.332, RSMo, multiplied by the proration factor and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699, RSMo, times the proration factor.

4. Each district's apportionment shall be the prorated categorical add-ons plus the greater of the district's prorated entitlement minus the total deductions for the district or zero.

5. (1) In the 1993-94 school year and all subsequent school years, pursuant to section 10(c) of article X of the state constitution, a school district shall adjust upward its operating levy for school purposes to the extent necessary for the district to at least maintain the current operating expenditures per pupil received by the district from all sources in the 1992-93 school year, except that its operating levy for school purposes shall not exceed the highest tax rate in effect subsequent to the 1980 tax year, or the minimum rate required by subsection 2 of section 163.021, whichever is less.

(2) The revenue per eligible pupil received by a district from the following sources: line 1 minus line 10, or zero if line 1 minus line 10 is less than zero, plus line 14 of subsection 6 of this section, shall not be less than the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment

amount plus the amount of line 14 per eligible pupil that exceeds the line 14 per pupil amount from the 1997-98 school year, or the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14(a) per eligible pupil times the quotient of line 1 minus line 10, divided by the number of eligible pupils, or zero if line 1 minus line 10 is less than zero, divided by the revenue per eligible pupil received by the district in the 1992-93 school year from the foundation formula entitlement payment amount, whichever is greater. The department of elementary and secondary education shall make an addition in the payment amount of line 19 of subsection 6 of this section to assure compliance with the provisions contained in this section. **Beginning with the 2000-2001 school year, the eligible pupil number used in these calculations shall exclude voluntary transfer students, and the 1997-1998 line 14 total amount and amount per pupil will be recalculated to exclude the voluntary transfer students originally in the calculation. Beginning with the 2000-2001 school year, for any district with voluntary transfer students in 1997-1998, the current year per eligible pupil payment amount shall not be less than the previous year per eligible pupil payment amount.**

(3) For any school district which meets the eligibility criteria for state aid as established in section 163.021, but which under subsections 1 to 4 of this section, receives no state aid for two successive school years, other than categorical add-ons, by August first following the second such school year, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, RSMo. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school district related to the authority of the state board of education to classify school districts pursuant to section 161.092, RSMo, and such other rules as determined by the commissioner of education, except that such waivers shall not include the provisions established pursuant to sections 160.514 and 160.518, RSMo.

(4) In the 1993-94 school year and each school year thereafter for two years, those districts which are entitled to receive state aid under subsections 1 to 4 of this section, shall receive state aid in an amount per eligible pupil as provided in this subsection. For the 1993-94 school year, the amount per eligible pupil shall be twenty-five percent of the amount of state aid per eligible pupil calculated for the district for the 1993-94 school year pursuant to subsections 1 to 4 of this section plus seventy-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1993-94 school year pursuant to subsections 1 to 4 of this section. For the 1994-95 school year, the amount per eligible pupil shall be fifty percent of the amount of state aid per eligible pupil calculated for the district for the 1994-95 school year pursuant to subsections 1 to 4 of this section plus fifty percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1994-95 school year pursuant to subsections 1 to 4 of this section. For the 1995-96 school year, the amount of state aid per eligible pupil shall be seventy-five percent of the amount of state aid per eligible pupil calculated for the district for the 1995-96 school year pursuant to subsections 1 to 4 of this section plus twenty-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1995-96 school year pursuant to subsections 1 to 4 of this section. Nothing in this subdivision shall be construed to limit the authority of a school district to raise its district operating levy pursuant to subdivision (1) of this subsection.

(5) If the total of state aid apportionments to all districts pursuant to subdivision (3) of this subsection is less than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then the difference shall be deposited in the outstanding schools trust fund. If the total of state aid apportionments to all districts pursuant to subdivision (1) of this subsection is greater than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then funds shall be transferred from the outstanding schools trust fund to the state school moneys fund to the extent necessary to fund the district entitlements as modified by subdivision (4) of this subsection for that school year with a district entitlement proration factor no less than one and such transfer shall be given priority over all other uses for the outstanding schools trust fund as otherwise provided by law.

6. State aid shall be determined as follows:

District Entitlement

- 1(a). Number of eligible pupils x (lesser of district's equalized operating levy for school purposes or two dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP).....\$.....
- 1(b). Number of eligible pupils x (greater of: 0, or district's equalized operating levy for school purposes minus two

dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP).....\$.....

Deductions

2. District equalized assessed valuation x district income factor x district's equalized operating levy for school purposes plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year.....\$.....
3. Intangible taxes, fines, forfeitures, escheats, payments in lieu of taxes, etc. (100% of the amount received the previous year for school purposes).....\$.....
4. Receipts from state assessed railroad and utility tax (100% of the amount received the previous year for school purposes).....\$.....
5. Receipts from federal properties pursuant to sections 12.070 and 12.080, RSMo (100% of the amount received the previous year for school purposes).....\$.....
6. (Federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less \$50,000) x 90% or the maximum percentage allowed by federal regulations if less than 90%.....\$.....
7. Fifty percent or the percentage otherwise provided in section 163.087 of Proposition C receipts from the school district trust fund received the previous year for school purposes pursuant to section 163.087.....\$.....
8. One hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo.....\$.....
9. One hundred percent of the amount received the previous year for school purposes from the free textbook fund pursuant to section 148.360, RSMo.....\$.....
10. Total deductions (sum of lines 2-9).....\$.....

Categorical Add-ons

11. The amount distributed pursuant to section 163.161 x proration.....\$.....
12. Special education approved or allowed cost entitlement for the district pursuant to section 162.975, RSMo, x proration.....\$.....
13. Seventy-five percent of the gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, x proration.....\$.....
- 14(a). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011, x .20, if operating levy in excess of \$2.75, or .22, otherwise x GTB per EP x \$2.75 per \$100 AV x proration.....\$.....
- 14(b). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011 x .30 x GTB x ((the greater of zero or the district's adjusted operating levy minus \$2.75 per \$100 AV) x (1.0 or, beginning in the fifth year following the effective date of this section, the district's FIRE for the prior year/statewide average FIRE for FY 1998, if the district's prior year FIRE is at least five percent below the FY 1998 statewide average FIRE) x proration) - court-ordered state desegregation aid received by the district for operating purposes.....\$.....
15. Career ladder entitlement for the district as provided for in sections 168.500 to 168.515, RSMo, x proration.....\$.....
16. Vocational education entitlements for the district as provided in section 167.332, RSMo, x proration.....\$.....
17. Educational and screening program entitlements for the district as provided in sections 178.691 to 178.699, RSMo, x proration.....\$.....
18. Sum of categorical add-ons for the district (sum of lines 11-17).....\$.....
19. District apportionment (line 18 plus the greater of line 1 minus line 10 or zero).....\$.....

7. Revenue received for school purposes by each school district pursuant to this section shall be placed in each of the incidental and teachers' funds based on the ratio of the property tax rate in the district for that fund to the total tax rate in the district for the two funds.

8. In addition to the penalty for line 14 described in subsection 6 of this section, beginning in school year 2004-05, any increase in a school district's funds received pursuant to line 14 of subsection 6 of this section over the 1997-98 school year shall be reduced by one percent for each full percentage point the percentage of the district's pupils scoring at or above five percent below the statewide average level on either mathematics or reading is less than sixty-five percent.

9. If a school district's annual audit discloses that students were inappropriately identified as eligible for free or reduced-price lunch and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of line 14 aid paid on the inappropriately identified pupils be repaid by the

district in the next school year and shall additionally impose a penalty of one hundred percent of the line 14 aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.”; and

Further amend said bill, Page 10, Section 167.645, Line 99, by inserting immediately after said line the following:

“Section 1. Notwithstanding the provisions of chapter 163, RSMo, to the contrary, for the purposes of determining state aid, a nonresident student enrolled pursuant to a contract authorized pursuant to subsection 2 of section 167.164, RSMo, to provide alternative education may be counted, at the election of the serving school district, as a resident pupil.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1076, Page 10, Section 167.645, Line 99, by adding the following:

“Section 1. Whenever the Department of Elementary and Secondary Education releases ACT scores for the State of Missouri they shall report composite scores for public and non-public schools separately.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SJR 50, as amended**: Senators Stoll, Jacob, Maxwell, Mueller and Bentley.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SB 1053, as amended**: Senators Goode, Clay, Wiggins, Flotron and Bentley.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HB 1238**, entitled:

An act to repeal sections 64.342, 67.1062, 67.1063, 140.160, 141.220, 141.540, 141.610 and 353.020, RSMo 1994, sections 67.410, 67.1461, 82.300, 92.031, 135.481, 139.053, 140.110, 144.757, 144.759, 144.761 and 260.210, RSMo Supp. 1999, and both versions of section 141.550 as it appears in RSMo Supp. 1999, relating to the use and improvement of property, and to enact in lieu thereof twenty-eight new sections relating to the same subject, with an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 17, Senate Amendment No. 18, Senate Amendment No. 19, Senate Amendment No. 20, Senate Amendment No. 21

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 28, Section 141.220, Line 4, by striking the words “**an independent**” and inserting in lieu thereof the words “**a state licensed or certified**”.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 31, Section 141.540, Line 43, by striking “19” and inserting in lieu thereof “20”.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Pages 20 to 24, Section 67.1461, Lines 1 to 141, by deleting all of said section and inserting in lieu thereof the following:

"67.1401. 1. Sections 67.1401 to 67.1571 shall be known and may be cited as the "Community Improvement District Act".

2. For the purposes of sections 67.1401 to 67.1571, the following words and terms mean:

(1) "Approval" or "approve", for purposes of elections pursuant to sections 67.1401 to 67.1571, a simple majority of those qualified voters voting in the election;

(2) "Assessed value", the assessed value of real property as reflected on the tax records of the county clerk of the county in which the property is located, or the collector of revenue if the property is located in a city not within a county, as of the last completed assessment;

(3) "Blighted area", an area which:

(a) By reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use; or

(b) Has been declared blighted or found to be a blighted area pursuant to Missouri law including, but not limited to, chapter 353, RSMo, sections 99.800 to 99.865, RSMo, or sections 99.300 to 99.715, RSMo;

(4) "Board", if the district is a political subdivision, the board of directors of the district, or if the district is a not for profit corporation, the board of directors of such corporation;

(5) "Director of revenue", the director of the department of revenue of the state of Missouri;

(6) "District", a community improvement district, established pursuant to sections 67.1401 to 67.1571;

(7) "Election authority", the election authority having jurisdiction over the area in which the boundaries of the district are located pursuant to chapter 115, RSMo;

(8) "Municipal clerk", the clerk of the municipality;

(9) "Municipality", any city located in a county of the first classification or second classification, any city not within a county and any county;

(10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a district to carry out any of its powers, duties or purposes or to refund outstanding obligations;

(11) "Owner", for real property, the individual or individuals or entity or entities who own the fee of real property or their legally authorized representative; for business organizations and other entities, the owner shall be deemed to be the individual which is legally authorized to represent the entity in regard to the district;

(12) "Per capita", one head count applied to each individual, entity or group of individuals or entities having fee ownership of real property within the district whether such individual, entity or group owns one or more parcels of real property in the district as joint tenants, tenants in common, tenants by the entirety or tenants in partnership;

(13) "Petition", a petition to establish a district as it may be amended in accordance with the requirements of section 67.1421;

(14) "Qualified voters",

(a) For purposes of elections for approval of real property taxes:

[(a)] a. Registered voters; or

[(b)] b. If no registered voters reside in the district, the [owner] owners of one or more parcels of real property

[per capita] **which is to be subject to such real property taxes and is located** within the district per the tax records **for real property** of the county clerk, or the collector of revenue if the district is located in a city not within a county, [for real property] as of the thirtieth day prior to the date of the applicable election; [and]

(b) For purposes of elections for approval of business license taxes or sales taxes:

a. Registered voters; or

b. If no registered voters reside in the district, the owners of one or more parcels of real property located within the district per the tax records for real property of the county clerk as of the thirtieth day before the date of the applicable election; and

(c) For purposes of the election of directors of the board, registered voters and owners of real property **which is not exempt from assessment or levy of taxes by the district and which is located** within the district per the tax records **for real property** of the county clerk, or the collector of revenue if the district is located in a city not within a county, [for real property as] of the thirtieth day prior to the date of the applicable election; and

(15) "Registered voters", persons who reside within the district and who are qualified and registered to vote pursuant to chapter 115, RSMo, pursuant to the records of the election authority as of the thirtieth day prior to the date of the applicable election.

67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise or otherwise, any real property within its boundaries, personal property or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100, RSMo. Those exempt pursuant to subdivision (5) of section 137.100, RSMo, may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100, RSMo. Those exempt pursuant to subdivisions (2) and (5) of section 137.100, RSMo, may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(10) If the district is a political subdivision in a city with a population of at least four hundred thousand located in more than one county, to levy sales taxes pursuant to sections 67.1401 to 67.1571;

(11) To fix, charge and collect fees, rents and other charges for use of any of the following:

(a) The district's real property, except for public rights-of-way for utilities;

(b) The district's personal property, except in a city not within a county; or

(c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;

[(11)] **(12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;**

[(12)] **(13) To loan money as provided in sections 67.1401 to 67.1571;**

[(13)] **(14) To make expenditures, create reserve funds and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;**

[(14)] **(15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or**

demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;

[(15)] **(16)** Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:

- (a) Pedestrian or shopping malls and plazas;
- (b) Parks, lawns, trees and any other landscape;
- (c) Convention centers, arenas, aquariums, aviaries and meeting facilities;
- (d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems and other site improvements;
- (e) Parking lots, garages or other facilities;
- (f) Lakes, dams and waterways;
- (g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls and barriers;
- (h) Telephone and information booths, bus stop and other shelters, rest rooms and kiosks;
- (i) Paintings, murals, display cases, sculptures and fountains;
- (j) Music, news and child-care facilities; and
- (k) Any other useful, necessary or desired improvement;

[(16)] **(17)** To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks and other real property and improvements located within its boundaries for public use;

[(17)] **(18)** Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks and tunnels and to provide the means for access by emergency vehicles to or in such areas;

[(18)] **(19)** Within its boundaries, to operate or to contract for the provision of music, news, child-care or parking facilities, and buses, minibuses or other modes of transportation;

[(19)] **(20)** Within its boundaries, to lease space for sidewalk café tables and chairs;

[(20)] **(21)** Within its boundaries, to provide or contract for the provision of security personnel, equipment or facilities for the protection of property and persons;

[(21)] **(22)** Within its boundaries, to provide or contract for cleaning, maintenance and other services to public and private property;

[(22)] **(23)** To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events and furnishing music in any public place;

[(23)] **(24)** To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;

[(24)] **(25)** To provide or support training programs for employees of businesses within the district;

[(25)] **(26)** To provide refuse collection and disposal services within the district;

[(26)] **(27)** To contract for or conduct economic, planning, marketing or other studies; and

[(27)] **(28)** To carry out any other powers set forth in sections 67.1401 to 67.1571.

2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:

(1) Within its blighted area, to contract with any private property owner to demolish and remove, renovate, reconstruct or rehabilitate any building or structure owned by such private property owner; and

(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the

services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.

67.1545. 1. Any district in a city with a population of at least four hundred thousand located in more than one county may impose by resolution a district sales and use tax on all retail sales made in such district which are subject to taxation pursuant to sections 144.010 to 144.525, RSMo, except sales of motor vehicles, trailers, boats or outboard motors and sales to public utilities. Any sales and use tax imposed pursuant to this section may be imposed at a rate of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, one-half of one percent or one percent. Such district sales and use tax may be imposed for any district purpose designated by the district in its ballot of submission to its qualified voters; except that, no resolution adopted pursuant to this section shall become effective unless the board of directors of the district submits to the qualified voters of the district, by mail-in ballot, a proposal to authorize a sales and use tax pursuant to this section. If a majority of the votes cast by the qualified voters on the proposed sales tax are in favor of the sales tax, then the resolution is adopted. If a majority of the votes cast by the qualified voters are opposed to the sales tax, then the resolution is void.

2. The ballot shall be substantially in the following form:

Shall the (insert name of district) Community Improvement District impose a community improvement district-wide sales and use tax at the maximum rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of the purpose)?

G YES

G NO

If you are in favor of the question, place an "X" in the box opposite of "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.097, RSMo, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

4. The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087, RSMo.

5. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

6. In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285, RSMo.

7. The penalties provided in sections 144.010 to 144.525, RSMo, shall apply to violations of this section.

8. All revenue received by the district from a sales and use tax imposed pursuant to this section which are designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

9. A district may repeal by resolution any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district."; and

Further amend the title, enacting clause and intersectional references accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 25, Section 82.300, Line 27, by inserting after all of said line the following:

"82.1050. 1. Beginning January 1, 2001, any landlord who leases real property located in any city with a population of more than four hundred thousand inhabitants shall submit a registration form to the governing body of such city pursuant to this section.

2. The registration form shall be developed by the governing body of such city and shall contain:

(1) The name, personal address, business address and telephone numbers of the landlord;

(2) The address of each property located in the city that is owned and leased by the landlord;

(3) The name, address and phone number of a person who will serve as a legal representative of the landlord for purposes of receiving public safety violations, code violations or other violations of any kind involving the property listed pursuant to subdivision (2) of this subsection. In the event no legal representative is named pursuant to this subdivision, the landlord shall serve as his or her own legal representative for purposes of this subdivision; and

(4) Any other information that the governing body of such city deems necessary to enhance compliance with city public safety and code regulations.

3. The city shall compile the registration forms submitted pursuant to this section for the purposes of ensuring greater efficiency in compliance with, and enforcement of, local public safety and code regulations. On or before July 1, 2002, and on or before every July first thereafter, the city shall issue a report to the governor, the speaker of the house of representatives and the president pro tempore of the senate as to the effectiveness of the compilation of the forms in ensuring greater efficiency in compliance with, and enforcement of, public safety and code regulations.

4. This section shall be of no force and effect on or after January 1, 2006."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 3, Section 64.342, Line 18, by inserting after said line the following:

"4. The provisions of this section extending authority to counties concerning marinas shall not apply to any privately operated marina in operation on the effective date of this section."

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 44, Section 260.210, Line 102, by inserting immediately after said line the following:

"301.025. 1. No state registration license to operate any motor vehicle in this state shall be issued unless the application for license of a motor vehicle or trailer is accompanied by a tax receipt for the tax year which immediately precedes the year in which the vehicle's or trailer's registration is due and which reflects that all taxes, including delinquent taxes from prior years, have been paid, or a statement certified by the county or township collector of the county or township in which the applicant's property was assessed showing that the state and county tangible personal property taxes for such previous tax year and all delinquent taxes due have been paid by the applicant or that no such taxes were due or, if the applicant is not a resident of this state and serving in the armed forces of the United States, the application is accompanied by a leave and earnings statement from such person verifying such status. In the event the registration is a renewal of a registration made two or three years previously, the application shall be accompanied by proof that taxes were not due or have been paid for the two or three years which immediately precede the year in which the motor vehicle's or trailer's registration is due; except when electronic personal property tax data has been provided to the department of revenue, and the department of revenue verifies that personal property taxes have been paid for the two or three years which immediately precede the year in which the motor vehicle's or trailer's

registration is due, the department of revenue shall accept those records as proof that the taxpayer has paid said personal property taxes. The county or township collector shall not be required to issue a receipt for the immediately preceding tax year until all personal property taxes, including all delinquent taxes currently due, are paid. **If the applicant was a resident of another county of this state in the applicable preceding years, he or she must submit to the collector in the county or township of residence proof that the personal property tax was paid in the applicable tax years.** Every county and township collector shall give each person a tax receipt or a certified statement of tangible personal property taxes paid. The receipt issued by the county collector in any county of the first classification with a charter form of government which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand inhabitants which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any county of the first classification without a charter form of government with a population of at least one hundred ten thousand but less than one hundred fifty thousand inhabitants shall be determined null and void if the person paying tangible personal property taxes issues or passes a check or other similar sight order which is returned to the collector because the account upon which the check or order was drawn was closed or did not have sufficient funds at the time of presentation for payment by the collector to meet the face amount of the check or order. The collector may assess and collect in addition to any other penalty or interest that may be owed, a penalty of ten dollars or five percent of the total amount of the returned check or order whichever amount is greater to be deposited in the county general revenue fund, but in no event shall such penalty imposed exceed one hundred dollars. The collector may refuse to accept any check or other similar sight order in payment of any tax currently owed plus penalty or interest from a person who previously attempted to pay such amount with a check or order that was returned to the collector unless the remittance is in the form of a cashier's check, certified check or money order. If a person does not comply with the provisions of this section, a tax receipt issued pursuant to this section is null and void and no state registration license shall be issued or renewed. Where no such taxes are due each such collector shall, upon request, certify such fact and transmit such statement to the person making the request. Each receipt or statement shall describe by type the total number of motor vehicles on which personal property taxes were paid, and no renewal of any state registration license shall be issued to any person for a number greater than that shown on his or her tax receipt or statement except for a vehicle which was purchased without another vehicle being traded therefor, or for a vehicle previously registered in another state, provided the application for title or other evidence shows that the date the vehicle was purchased or was first registered in this state was such that no personal property tax was owed on such vehicle as of the date of the last tax receipt or certified statement prior to the renewal. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms.

2. Every county collector in counties with a population of over six hundred thousand and less than nine hundred thousand shall give priority to issuing tax receipts or certified statements pursuant to this section for any person whose motor vehicle registration expires in January. Such collector shall send tax receipts or certified statements for personal property taxes for the previous year within three days to any person who pays the person's personal property tax in person, and within twenty working days, if the payment is made by mail. Any person wishing to have priority pursuant to this subsection shall notify the collector at the time of payment of the property taxes that a motor vehicle registration expires in January. Any person purchasing a new vehicle in December and licensing such vehicle in January of the following year, may use the personal property tax receipt of the prior year as proof of payment.

3. In addition to all other requirements, the director of revenue shall not register any vehicle subject to the heavy vehicle use tax imposed by Section 4481 of the Internal Revenue Code of 1954 unless the applicant presents proof of payment, or that such tax is not owing, in such form as may be prescribed by the United States Secretary of the Treasury. No proof of payment of such tax shall be required by the director until the form for proof of payment has been prescribed by the Secretary of the Treasury.

4. Beginning July 1, 2000, a county or township collector may notify, by ordinary mail, any owner of a motor vehicle for which personal property taxes have not been paid that if full payment is not received within thirty days the collector may notify the director of revenue to suspend the motor vehicle registration for such vehicle. Any notification returned to the collector by the post office shall not result in the notification to the director of revenue for suspension of a motor vehicle registration. Thereafter, if the owner fails to timely pay such taxes the collector may notify the director of revenue of such failure. Such notification shall be on forms designed and provided by the department of revenue and shall list the motor vehicle owner's full name, including middle initial, the owner's address, and the year, make, model and vehicle identification number of such motor vehicle. Upon receipt of this notification the director of revenue may provide notice of suspension of motor vehicle registration to the owner at the owner's last address shown

on the records of the department of revenue. Any suspension imposed may remain in effect until the department of revenue receives notification from a county or township collector that the personal property taxes have been paid in full. Upon the owner furnishing proof of payment of such taxes and paying a twenty dollar reinstatement fee to the director of revenue the motor vehicle or vehicles registration shall be reinstated. In the event a motor vehicle registration is suspended for nonpayment of personal property tax the owner so aggrieved may appeal to the circuit court of the county of his or her residence for review of such suspension at any time within thirty days after notice of motor vehicle registration suspension. Upon such appeal the cause shall be heard de novo in the manner provided by chapter 536, RSMo, for the review of administrative decisions. The circuit court may order the director to reinstate such registration, sustain the suspension of registration by the director or set aside or modify such suspension. Appeals from the judgment of the circuit court may be taken as in civil cases. The prosecuting attorney of the county where such appeal is taken shall appear in behalf of the director, and prosecute or defend, as the case may require.

5. [No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.] **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.**

[301.025. 1. No state registration license to operate any motor vehicle in this state shall be issued unless the application for license of a motor vehicle or trailer is accompanied by a tax receipt for the tax year which immediately precedes the year in which the vehicle's or trailer's registration is due or a statement certified by the county or township collector of the county or township in which the applicant's property was assessed showing that the state and county tangible personal property taxes for such previous tax year have been paid by the applicant or that no such taxes were due or, if the applicant is not a resident of this state and serving in the armed forces of the United States, the application is accompanied by a leave and earnings statement from such person verifying such status. Every county and township collector shall give each person a tax receipt or a certified statement of tangible personal property taxes paid. The receipt issued by the county collector in any county of the first classification with a charter form of government which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand inhabitants which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any county of the first classification without a charter form of government with a population of at least one hundred ten thousand but less than one hundred fifty thousand inhabitants shall be determined null and void if the person paying tangible personal property taxes issues or passes a check or other similar sight order which is returned to the collector because the account upon which the check or order was drawn was closed or did not have sufficient funds at the time of presentation for payment by the collector to meet the face amount of the check or order. The collector may assess and collect in addition to any other penalty or interest that may be owed, a penalty of ten dollars or five percent of the total amount of the returned check or order whichever amount is greater to be deposited in the county general revenue fund, but in no event shall such penalty imposed exceed one hundred dollars. The collector may refuse to accept any check or other similar sight order in payment of any tax currently owed plus penalty or interest from a person who previously attempted to pay such amount with a check or order that was returned to the collector unless the remittance is in the form of a cashier's check, certified check or money order. If a person does not comply with the provisions of this section, a tax receipt issued pursuant to this section is null and void and no state registration license shall be issued or renewed. Where no such taxes are due each such collector shall, upon request, certify such fact and transmit such statement to the person making the request. Each receipt or statement shall describe by type the total number of motor vehicles on which personal property taxes were paid, and no renewal of any state registration license shall be issued to any person for a number greater than that shown on his or her tax receipt or statement except for a vehicle which was purchased without another vehicle being traded therefor, or for a vehicle previously registered in another state, provided the application for title or other evidence shows that the date the vehicle was purchased or was first registered in this state was such that no personal property tax was owed on such vehicle as of the date of the last tax receipt or certified statement prior to the renewal. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms.

2. Every county collector in counties with a population of over six hundred thousand and less than nine hundred thousand shall give priority to issuing tax receipts or certified statements pursuant to this section for any person whose

motor vehicle registration expires in January. Such collector shall send tax receipts or certified statements for personal property taxes for the previous year within three days to any person who pays the person's personal property tax in person, and within twenty working days, if the payment is made by mail. Any person wishing to have priority pursuant to this subsection shall notify the collector at the time of payment of the property taxes that a motor vehicle registration expires in January. Any person purchasing a new vehicle in December and licensing such vehicle in January of the following year, may use the personal property tax receipt of the prior year as proof of payment.

3. In addition to all other requirements, the director of revenue shall not register any vehicle subject to the heavy vehicle use tax imposed by Section 4481 of the Internal Revenue Code of 1954 unless the applicant presents proof of payment, or that such tax is not owing, in such form as may be prescribed by the United States Secretary of the Treasury. No proof of payment of such tax shall be required by the director until the form for proof of payment has been prescribed by the Secretary of the Treasury.]" ; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 45, Section B, Line 9, by adding an additional section thereto as follows:

"Section C. All corrective action plans approved by the department pursuant to chapter 260 shall require the department, upon notice by the owner or operator that the approved plan has been completed, to verify within 90 days that the corrective action plan has been complied with and completed. The department shall issue a letter within 30 business days to the owners or operators certifying the completion and compliance." ; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 8

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 25, Section 92.031, Line 19, by inserting after all of said line the following:

"99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefitted by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

- (5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;
 - (6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;
 - (7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;
 - (8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;
 - (9) Acquire and construct public facilities within a redevelopment area;
 - (10) Incur redevelopment costs and issue obligations;
 - (11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;
 - (12) Disburse surplus funds from the special allocation fund to taxing districts as follows:
 - (a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;
 - (b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;
 - (c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;
 - (13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;
 - (14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.
2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:
- (1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;
 - (2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;
 - (3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;
 - (4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such

municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area, is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments;

(8) No ordinance adopting a redevelopment plan, project or area, or amendment thereto shall be valid unless first referred to the commission as provided in this section. School districts and other taxing entities entitled to participate on the commission shall have standing to challenge the failure to comply with the provisions of sections 99.800 to 99.865 or any unlawful expenditure of public funds approved pursuant to ordinance, and the provisions of this subdivision shall be considered remedial and applicable to legal actions commenced before or after August 28, 2000. After August 28, 2000, any such action must be brought within one hundred eighty days following the adoption of the ordinance adopting a redevelopment plan, project or area, or amendment thereto.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of, or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 1, In the Title, Line 8, by inserting immediately after the word "sections" the following: "**and an effective date for certain sections**"; and

Further amend said bill, Page 1, Section A, Line 9, by inserting immediately after said line the following:

"50.334. 1. In all counties, except counties of the first classification having a charter form of government and counties of the first classification not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, each recorder of deeds, if the recorder's office is separate from that of the circuit clerk, shall receive as total compensation for all services performed by the recorder, except as provided

pursuant to section 50.333, an annual salary which shall be computed on an assessed valuation basis as set forth in the following schedule. The assessed valuation factor shall be the amount thereof as computed for the year next preceding the computation. The county recorder of deeds whose office is separate from that of the circuit clerk in any county, other than a county of the first classification having a charter form of government or a county of the first classification not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation in an amount less than the total compensation being received for the office of county recorder of deeds in the particular county for services rendered or performed on January 1, 1997.

Assessed Valuation	Salary
\$ 8,000,000 to 40,999,999	\$29,000
41,000,000 to 53,999,999	30,000
54,000,000 to 65,999,999	32,000
66,000,000 to 85,999,999	34,000
86,000,000 to 99,999,999	36,000
100,000,000 to 130,999,999	38,000
131,000,000 to 159,999,999	40,000
160,000,000 to 189,999,999	41,000
190,000,000 to 249,999,999	41,500
250,000,000 to 299,999,999	43,000
300,000,000 or more	45,000

2. Two thousand dollars of the salary authorized in this section shall be payable to the recorder only if he has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the recorder's office when approved by a professional association of the county recorders of deeds of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each recorder who completes the training program and shall send a list of certified recorders to the treasurer of each county. Expenses incurred for attending the training session [may] **shall** be reimbursed to the county recorder in the same manner as other expenses as may be appropriated for that purpose.

59.005. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Document" or "instrument", any writing or drawing presented to the recorder of deeds for recording;

(2) "File", "filed" or "filing", the act of delivering or transmitting a document to the recorder of deeds for recording into the official public record;

(3) "Grantor" or "grantee", the names of the parties involved in the transaction used to create the recording index;

(4) "Legal description", shall include, but not be limited to, the reference to the lot or parts thereof, block, plat or replat number, plat book and page and the name of any recorded plat; or if the property has not been platted, the acreage, if applicable, the quarter/quarter section, and the section, township and range of property. The address of the property shall not be accepted as an abbreviated legal description;

(5) "Legible", all text, seals, drawings, signatures or other content within the document must be capable of producing a clear and readable image from record, regardless of the process used for recording;

(6) "Page", any writing, printing or drawing printed on one side only covering all or part of the page, not larger than eight and one-half inches in width and eleven inches in height other than a plat or survey; for a drawing or calculations of a plat or survey covering all or part of one side, not larger than thirty-six inches in width and twenty-four inches in height;

(7) "Record", "recorded" or "recording", the recording of a the document into the official public record, regardless of the process used;

(8) "Recorder of deeds", the separate recorder of deeds in those counties where separate from the circuit clerk and the circuit clerk and ex officio recorder of deeds in those counties where the offices are combined.

[59.310. 1. As used in this section, "page" means any writing, printing or drawing covering all or part of one side of a paper, other than a plat, not larger than 8 ½ inches x 14 inches, or of a plat not larger than 18 inches x 24 inches, with the following conditions:

(1) Should sufficient space not be provided for the necessary recording information and certification on a document, said recording information and certification shall be placed on an added sheet and such sheet shall be counted as a page;

(2) The size of print or type on any document to be recorded shall not be smaller than 8 point. Should any document to be recorded contain type smaller than 8 point, such document must be accompanied by an exact typewritten copy thereof which will be recorded contemporaneously with the document;

(3) The document must be of sufficient legibility so as to produce a clear and legible reproduction thereof. Should a document not be of sufficient legibility so as to produce a clear and legible reproduction, such document must be accompanied by an exact typewritten copy thereof which will be recorded contemporaneously with the document;

(4) Any attachment which extends the length of the page, and any deed or document larger than 8 ½ inches x 14 inches, other than a plat or survey, shall be counted as an additional page for each additional 8 ½ inches x 14 inches or fraction thereof. Any plat or survey larger than 18 inches x 24 inches shall be counted as an additional page for each additional 18 inches x 24 inches or fraction thereof.

2. Any signature on a document shall have the corresponding name typed, printed or stamped underneath said signature.

3. Recorders shall be allowed fees for their services as follows:

(1) For recording every deed or instrument: \$5.00 for the first page and \$3.00 for each page thereafter;

(2) For copying or reproducing any recorded instrument except surveys or plats: a fee not to exceed \$2.00 for the first page and \$1.00 for every page thereafter;

(3) For every certificate and seal, except when recording an instrument: \$1.00;

(4) For recording a plat or survey of a subdivision, outlots or condominiums: \$25.00 for each page of drawings and calculations plus \$5.00 for each page of other material;

(5) For recording a survey of one tract of land, in the form of one page: \$5.00 per page;

(6) For copying a plat or survey: a fee not to exceed \$5.00 for each page;

(7) For every certified copy of a marriage license or application for a marriage license: \$2.00. The only additional fee over and above this is the \$1.00 state user fee on all documents that convey real estate, and a 25-cent fee for identifying each note to an instrument when a document is recorded that creates a lien against the real estate.]

59.310. 1. The county recorder of deeds may refuse any document presented for recording that does not meet the following requirements:

(1) The document shall consist of one or more individual pages printed only on one side, except that forms which are preprinted may be printed on two sides, and not permanently bound nor in a continuous form. The document shall not have any attachment stapled or otherwise affixed to any page except as required or permitted by law or as necessary to comply with other statutory requirements; a label that is firmly attached with a bar code or return address may be accepted for recording;

(2) The size of print or type shall not be smaller than eight-point type and shall be in black or dark ink. Should any document presented for recording contain type smaller than eight-point type, such document shall be accompanied by an exact typewritten copy not smaller than eight-point type to be recorded contemporaneously as additional pages of the document;

(3) The document must be of sufficient legibility to produce a clear and legible reproduction thereof. Should any document not be of sufficient legibility to produce a clear and legible reproduction, such document shall be accompanied by an exact typewritten copy not smaller than eight-point type to be recorded contemporaneously as additional pages of the document;

(4) The document shall be on white paper or light colored paper of not less than twenty-pound weight without watermarks or other visible inclusions, except for plats and surveys which may be on materials such as mylar or velum. All text within the document shall be of sufficient color and clarity to ensure that when the text is reproduced from record, it shall be readable;

(5) All signatures on a document shall be in black, blue or dark ink and shall have the corresponding name typed, printed or stamped underneath said signature. The typing or printing of any name or the applying of an embossed or inked stamp shall not cover or interfere with any part of the document, except where provided for by law;

(6) The document shall have a top margin of at least three inches of vertical space from left to right indicated by a horizontal line to be reserved for the recorder of deeds' certification and use. All other margins on the document shall be a minimum of three-fourths inch on all sides. Nonessential information such as form numbers, page numbers, or customer notations may be placed in the margin. A document may be recorded if a minor portion of a seal or incidental writing extends beyond the margins. The recorder of deeds will not incur any liability for not showing any seal or information that extends beyond the margins of the permanent archival record.

2. (1) Every document presented for recording except plats and surveys shall have the following information on the first page below the three-inch horizontal line:

- (a) Title of the document;
- (b) Date of the document;
- (c) All grantors names;
- (d) All grantees names; and
- (e) Legal description of the property or contain a reference to the page number or exhibit where the legal description is set out in the document; or

(2) If there is not sufficient room on the first page for all the required information, it may be placed on the subsequent page or pages in sequential order.

3. For a period of three years from July 1, 2001, documents which do not meet the requirements set forth in this section may be recorded for an additional fee of twenty-five dollars which shall be deposited in the recorders fund established pursuant to subsection 1 of section 59.319. Thereafter, the recorder of deeds shall not accept a document which does not meet the requirements set out in this section.

4. Documents which are exempt from format requirements and which the recorder of deeds may record include the following:

- (1) Documents which were signed prior to July 1, 2001;
- (2) Military separation papers;
- (3) Documents executed outside the United States;
- (4) Certified copies of documents, including birth and death certificates;
- (5) Any document where one of the original parties is deceased or otherwise incapacitated; and
- (6) Judgments or other documents formatted to meet court requirements.

5. Any document rejected by a recorder of deeds shall be returned to the preparer or presenter accompanied by an explanation of the reason it could not be recorded.

6. Recorders of deeds shall be allowed fees for their services as follows:

(1) For recording every deed or instrument: five dollars for the first page and three dollars for each page thereafter except for plats and surveys;

(2) For copying or reproducing any recorded instrument, except surveys and plats: a fee not to exceed two dollars for the first page and one dollar for each page thereafter;

(3) For every certificate and seal, except when recording an instrument: one dollar;

(4) For recording a plat or survey of a subdivision, outlots or condominiums: twenty-five dollars for each sheet of drawings and calculations based on a size not to exceed twenty-four inches in width by eighteen inches in height. For recording a survey of one or more tracts: five dollars for each sheet of drawings or calculations based on a size not to exceed twenty-four inches in width by eighteen inches in height. Any plat or survey larger than eighteen inches by twenty-four inches shall be counted as an additional sheet for each additional eighteen inches by twenty-four inches or fraction thereof plus five dollars for each page of other materials;

(5) For copying a plat or survey of one or more tracts: a fee not to exceed five dollars for each page of drawings and calculations not larger than twenty-four inches in width and eighteen inches in height and one dollar for each page of other material;

(6) For a document which releases or assigns more than one item: five dollars for each item beyond one released or assigned in addition to any other charges which may apply, however, the recorder may require individual documents due to recording processes;

(7) For every certified copy of a marriage license or application for a marriage license: two dollars; and

(8) For duplicate copies of the records in a medium other than paper, the recorder of deeds shall set a reasonable fee. For all other personnel services, use of equipment and use of office facilities, the recorder of deeds shall set a reasonable fee.

[59.313. 1. As used in this section for recording in the office of the recorder of deeds of any city not within a county, "page" means any writing, printing or drawing covering all or part of one side of a paper, other than a plat not larger than 8 ½ inches x 14 inches, or of a plat not larger than 18 x 24 inches, with the following conditions:

(1) Should sufficient space not be provided for the necessary recording information and certification on a document, said recording information and certification shall be placed on an added sheet and such sheet shall be counted as a page;

(2) The size of print or type on any document to be recorded shall not be smaller than 8 point. Should any document to be recorded contain type smaller than 8 point, such document must be accompanied by an exact typewritten

copy thereof which will be recorded contemporaneously with the document. Such additional documents shall be recorded at the same cost as an original;

(3) The document must be of sufficient legibility so as to produce a clear and legible reproduction thereof. Should a document not be of sufficient legibility so as to produce a clear and legible reproduction, such document must be accompanied by an exact typewritten copy thereof which will be recorded contemporaneously with the document;

(4) Any attachment which extends the length of the page, and any deed or document larger than 8 ½ inches x 14 inches, other than a plat or survey, shall be counted as an additional page for each additional 8 ½ inches x 14 inches or fraction thereof. Any plat or survey larger than 18 inches x 24 inches shall be counted as an additional page for each additional 18 inches x 24 inches or fraction thereof.

2. Any signature on a document shall have the corresponding name typed, printed or stamped underneath the signature.

3. The recorder of deeds in any city not within a county shall be allowed fees for his services as follows:

(1) For recording every deed or instrument: \$10.00 for the first page and \$5.00 for each page thereafter;

(2) For copying or reproducing any recorded instrument, except surveys and plats: \$3.00 for the first page and \$2.00 for each page thereafter;

(3) For every certificate and seal, except when recording an instrument: \$2.00;

(4) For recording a plat or survey of a subdivision, outlots or condominiums: \$44.00 for each page of drawings and calculations plus \$10.00 for each page of other materials;

(5) For recording a survey of one tract of land, in the form of one page: \$8.00;

(6) For copying a plat or survey: \$8.00 for each page;

(7) For every certified copy of a marriage license or application for a marriage license: \$5.00;

(8) For releasing on the margin: \$8.00 for each item released;

(9) For a document which releases or assigns more than one item: \$7.50 for each item beyond one released or assigned in addition to any other charges which may apply; and

(10) For duplicate reels of microfilm: \$30.00 each. For all other personnel services, use of equipment and use of office space the recorder of deeds shall set attendant fees.]

59.313. 1. The recorder of deeds in a city not within a county may refuse any document presented for recording that does not meet the following requirements:

(1) **The document shall consist of one or more individual pages printed only on one side not permanently bound nor in a continuous form. The document shall not have any attachment stapled or otherwise affixed to any page except as required or permitted by law or as necessary to comply with other statutory requirements; a label that is firmly attached with a bar code or return address may be accepted for recording;**

(2) **The size of print or type shall not be smaller than eight-point type and shall be in black or dark ink. Should any document presented for recording contain type smaller than eight-point type, such document shall be accompanied by an exact typewritten copy not smaller than eight-point type to be recorded contemporaneously as additional pages of the document;**

(3) **The document must be of sufficient legibility to produce a clear and legible reproduction thereof. Should any document not be of sufficient legibility to produce a clear and legible reproduction, such document shall be accompanied by an exact typewritten copy not smaller than eight-point type to be recorded contemporaneously as additional pages of the document;**

(4) **The document shall be on white or light colored paper of not less than twenty-pound weight without watermarks or other visible inclusions except for plats and surveys which may be on materials such as mylar or velum. All text within the document shall be of sufficient color and clarity to ensure that when the text is reproduced from record, it shall be readable;**

(5) **All signatures on a document shall be in black, blue or dark ink and shall have the corresponding name typed, printed or stamped underneath said signature. The typing or printing of any name or the applying of an embossed or inked stamp shall not cover or interfere with any part of the document, except where provided for by law;**

(6) **The document shall have a top margin of at least three inches of vertical space from left to right indicated by a horizontal line to be reserved for the recorder of deeds' certification and use. All other margins on the document shall be a minimum of three-fourths inch on all sides. Nonessential information such as form numbers, page numbers, or customer notations may be placed in the margin. A document may be recorded if a minor portion of a seal or incidental writing extends beyond the margins. The recorder of deeds will not incur any liability for not showing any seal or information that extends beyond the margins of the permanent archival**

record.

2. (1) Every document presented for recording except plats and surveys shall have the following information on the first page below the three-inch horizontal line:

- (a) Title of the document;
- (b) Date of the document;
- (c) All grantors names;
- (d) All grantees names; and
- (e) Legal description of the property or contain a reference to the page number or exhibit where the legal description is set out in the document; or

(2) If there is not sufficient room on the first page for all the required information, it may be placed on the subsequent page or pages in sequential order.

3. For a period of three years from July 1, 2001, documents which do not meet the requirements set forth in this section may be recorded for an additional fee of twenty-five dollars which shall be deposited in the recorders fund established pursuant to subsection 1 of section 59.319. Thereafter, the recorder of deeds shall not accept a document which does not meet the requirements set out in this section.

4. Documents which are exempt from format requirements and which the recorder of deeds may record include the following:

- (1) Documents which were signed prior to January 1, 2001;
- (2) Military separation papers;
- (3) Documents executed outside the United States;
- (4) Certified copies of documents, including birth and death certificates;
- (5) Any document where one of the original parties is deceased or otherwise incapacitated; and
- (6) Judgments or other documents formatted to meet court requirements.

5. Any document rejected by a recorder of deeds shall be returned to the preparer or presenter accompanied by an explanation of the reason it could not be recorded.

6. Recorder of deeds shall be allowed fees for their services as follows:

- (1) For recording every deed or instrument: ten dollars for the first page and five dollars for each page thereafter;
- (2) For copying or reproducing any recorded instrument, except surveys and plats: three dollars for the first page and two dollars for each page thereafter;
- (3) For every certificate and seal, except when recording an instrument: two dollars;
- (4) For recording a plat or survey of a subdivision, outlots or condominiums: forty-four dollars for each page of drawings and calculations based on a size not to exceed twenty-four inches in width by eighteen inches in height, plus ten dollars for each page of other materials;
- (5) For recording a survey of one tract of land, in the form of one sheet not to exceed twenty-four inches in width by eighteen inches in height: eight dollars;
- (6) For copying a plat or survey: eight dollars for each page;
- (7) For every certified copy of a marriage license or application for a marriage license: five dollars;
- (8) For releasing on the margin: eight dollars for each item released;
- (9) For a document which releases or assigns more than one item: seven dollars and fifty cents for each item beyond one released or assigned in addition to any other charges which may apply; and
- (10) For duplicate reels of microfilm: thirty dollars each.

For all other personnel services, use of equipment and use of office space the recorder of deeds shall set attendant fees."; and

Further amend said bill, Page 45, Section B, Line 9, by inserting immediately after said line the following:

"Section C. The enactment of section 59.005 and the repeal and reenactment of sections 59.310 and 59.313 shall become effective January 1, 2001."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 24, Section 67.1461, Line 141, by inserting immediately after said line the following:

"72.424. Notwithstanding any other provisions of sections 72.400 to [72.422] **72.423**, any owner of a tract of land of thirty acres or less owned by a single owner and that is located within two or more municipalities, one municipality being a city of the fourth classification with a population between four thousand six hundred and five thousand, and the other municipality being [of the third classification] **a constitutional charter city** with a population between sixteen thousand three hundred and seventeen thousand, and both municipalities located within a county of the first classification having a charter form of government and having a minimum population of nine hundred thousand, may elect which municipality to belong to by agreement of that municipality. Such owner's election shall occur within ninety days of August 28, [1999] **2000**. Such agreement shall consist of the enactment by the governing body of the receiving municipality of an ordinance describing by metes and bounds the property, declaring the property so described to be detached and annexed, and stating the reasons for and the purposes to be accomplished by the detachment and annexation. A copy of said ordinance shall be mailed to the county clerk and to the city clerk and assessor of the contributing municipality before December fifteenth, with such transfer becoming effective the next January first. Such choice of municipalities shall be permanent. Thereafter, all courts of this state shall take notice of the limits of both municipalities as changed by the ordinances. This section shall only apply to boundary changes effected after January 1, 1990, and occurring by the incorporation of a municipality. This section shall expire and be of no force and effect on March 1, [2000] **2001**."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Pages 25 to 27, Section 135.481, Lines 1 to 41, by deleting all of said section and inserting in lieu thereof the following:

"135.481. 1. **(1)** Any taxpayer who incurs eligible costs for a new residence located in a distressed community or within a census block group as described in subdivision (10) of section 135.478, **or for a multiple unit condominium described in subdivision (2) of this subsection**, shall receive a tax credit equal to fifteen percent of such costs against his or her tax liability. The tax credit shall not exceed forty thousand dollars per new residence in any ten-year period.

(2) Notwithstanding any other provision of this chapter to the contrary, with the approval of the governing body of a city with a population of over four hundred thousand located in more than one county, any taxpayer who incurs eligible costs for construction of a multiple unit condominium intended to be owner occupied, which is constructed on property subject to an industrial development contract as defined in section 100.310, RSMo, and which lies within an area with a city zoning classification of urban redevelopment district established after January 1, 2000, and before December 31, 2001, and which is constructed in connection with the qualified rehabilitation of a structure more than ninety years old eligible for the historic structures rehabilitation tax credit described in sections 253.545 to 253.559, RSMo, shall receive a credit equal to one hundred percent of demolition costs associated with development of such new residence, if the total project is under way by January 1, 2000.

2. Any taxpayer who incurs eligible costs for a new residence located within a census block as described in subdivision (6) of section 135.478 shall receive a tax credit equal to fifteen percent of such costs against his or her tax liability. The tax credit shall not exceed twenty-five thousand dollars per new residence in any ten-year period.

3. Any taxpayer who is not performing substantial rehabilitation and who incurs eligible costs for rehabilitation of an eligible residence or a qualifying residence shall receive a tax credit equal to twenty-five percent of such costs against his or her tax liability. The minimum eligible costs for rehabilitation of an eligible residence shall be ten thousand dollars. The minimum eligible costs for rehabilitation of a qualifying residence shall be five thousand dollars. The tax credit shall not exceed twenty-five thousand dollars in any ten-year period.

4. Any taxpayer who incurs eligible costs for substantial rehabilitation of a qualifying residence shall receive a tax credit equal to thirty-five percent of such costs against his or her tax liability. The minimum eligible costs for

substantial rehabilitation of a qualifying residence shall be ten thousand dollars. The tax credit shall not exceed seventy thousand dollars in any ten-year period.

5. A taxpayer shall be eligible to receive tax credits for new construction or rehabilitation pursuant to only one subsection of this section.

6. No tax credit shall be issued pursuant to this section for any structure which is in violation of any municipal or county property, maintenance or zoning code.

7. No tax credit shall be issued pursuant to sections 135.475 to 135.487 for the construction or rehabilitation of rental property."; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 13

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 45, Section 353.020, Line 45, by inserting after said line the following:

"Section 1. Regional research consortia within a city which lies partially or wholly within an area designated as a distressed community may apply for grants from the state for the purpose of conducting health research, including research into the prevention and cessation of smoking."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 45, Section B, Line 1, by inserting before said line the following:

"Section 1. The provisions of 82.1050 RSMo shall only apply to landlords operating rental properties including five or more rental units."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 15

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 24, Section 67.1461, Line 41, by inserting immediately after said line the following:

"67.1850. 1. As used in this section, the following terms mean:

- (1) "Community", any municipality or county as defined in this section;**
- (2) "County", any county of the first classification without a charter form of government and a population of at least two hundred thousand inhabitants;**
- (3) "Geographical information system", a computerized, spatial coordinate mapping and relational database technology which:**
 - (a) Captures, assembles, stores, converts, manages, analyzes, amalgamates and records, in the digital mode, all kinds and types of information and data;**
 - (b) Transforms such information and data into intelligence and subsequently retrieves, presents and distributes that intelligence to a user for use in making the intelligent decisions necessary for sound management;**
- (4) "Municipality", any city with a population of one hundred forty thousand or more inhabitants.**

2. The development of geographical information systems has not been undertaken in any large-scale and useful way by private enterprise. The use of modern technology can enhance the planning and decision-making processes of communities. The development of geographical information systems is a time consuming and expensive activity. In the interest of maintaining community governments open and accessible to the public, information gathered by communities for use in a geographical information system, unless properly made a closed record, should be available to the public. However, access to the information in a way by which a person

could render the investment of the public in a geographical information system a special benefit to that person, and not to the public, should not be permitted.

3. Any community as defined in this section may create a geographical information system for the community. The scope of the geographical information system shall be determined by the governing body of the community. The method of creation, maintenance, use and distribution of the geographical information system shall be determined by the governing body of the community.

4. The information collected or assimilated by a community for use in a geographical information system shall not be withheld from the public, unless otherwise properly made a closed record of the community as provided by section 610.021, RSMo. The information collected or assimilated by a community for use in a geographical information system need not be disclosed in a form which may be read or manipulated by computer, absent a license agreement between the community and the person requesting the information.

5. Information collected or assimilated by a community for use in a geographical information system and disclosed in any form, other than in a form which may be read or manipulated by computer, shall be provided for a reasonable fee, as established by section 610.026, RSMo. A community maintaining a geographical information system shall make maps and other products of the system available to the public. The cost of the map or other product shall not exceed a reasonable fee representing the cost to the community of time, equipment and personnel in the production of the map or other product. A community may license the use of a geographical information system. The cost of licensing a geographical information system may reflect the:

- (1) Cost to the community of time, equipment and personnel in the production of the information in a geographical information system or the production of the geographical information system;
- (2) Cost to the community of the creation, purchase, or other acquisition of the information in a geographical information system or of the geographical information system; and
- (3) Value of the commercial purpose, if any, for which the information in a geographical information system or a geographical information system is to be used.

6. The provisions of this section shall not hinder the daily or routine collection of data, as defined in section 569.093, RSMo, from the geographical information system by real estate brokers and agents, title collectors, developers, surveyors, utility companies, banks, news media or mortgage companies, nor shall the provisions allow for the charging of fees for the collection of such data exceeding that allowed pursuant to section 610.026, RSMo. The provisions of this section, however, shall allow a community maintaining a geographical information system to license and establish costs for the use of the system's computer program and computer software, as defined in section 569.093, RSMo.

7. A community distributing information used in a geographical information system or distributing a geographical information system shall not be liable for any damages which may arise from any error which may exist in the information or the geographical information system.

[82.1035. 1. As used in this section, the following terms mean:

- (1) "Community", any municipality as defined in this section;
- (2) "Geographical information system", a computerized, spatial coordinate mapping and relational database technology which:
 - (a) Captures, assembles, stores, converts, manages, analyzes, amalgamates and records, in the digital mode, all kinds and types of information and data;
 - (b) Transforms such information and data into intelligence and subsequently;
 - (c) Retrieves, presents and distributes that intelligence to a user for use in making the intelligent decisions necessary for sound management;
- (3) "Municipality", any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county.

2. The development of geographical information systems has not been undertaken in any large-scale and useful way by private enterprise. The use of modern technology can enhance the planning and decision making processes of communities. The development of geographical information systems is a time consuming and expensive activity. In the interest of maintaining community governments open and accessible to the public, information gathered by communities for use in a geographical information system, unless properly made a closed record, should be available to the public. However, access to the information in a way by which a person could render the investment of the public in a geographical information system a special benefit to that person, and not to the public, should not be permitted.

3. Any community as defined in this section may create a geographical information system for the community. The scope of the geographical information system shall be determined by the governing body of the community. The

method of creation, maintenance, use and distribution of the geographical information system shall be determined by the governing body of the community.

4. The information collected or assimilated by a community for use in a geographical information system shall not be withheld from the public, unless otherwise properly made a closed record of the community as provided by section 610.021, RSMo. The information collected or assimilated by a community for use in a geographical information system need not be disclosed in a form which may be read or manipulated by computer, absent a license agreement between the community and the person requesting the information.

5. Information collected or assimilated by a community for use in a geographical information system and disclosed in any form, other than in a form which may be read or manipulated by computer, shall be provided for a reasonable fee, as established by section 610.026, RSMo. A community maintaining a geographical information system shall make maps and other products of the system available to the public. The cost of the map or other product shall not exceed a reasonable fee representing the cost to the community of time, equipment and personnel in the production of the map or other product. A community may license the use of a geographical information system. The cost of licensing a geographical information system may reflect the:

(1) Cost to the community of time, equipment and personnel in the production of the information in a geographical information system or the production of the geographical information system;

(2) Cost to the community of the creation, purchase, or other acquisition of the information in a geographical information system or of the geographical information system; and

(3) Value of the commercial purpose, if any, for which the information in a geographical information system or a geographical information system is to be used.

6. The provisions of this section shall not hinder the daily or routine collection of data, as defined in section 569.093, RSMo, from the geographical information system by real estate brokers and agents, title collectors, developers, surveyors, utility companies, banks, or mortgage companies, nor shall the provisions allow for the charging of fees for the collection of such data exceeding that allowed pursuant to section 610.026, RSMo. The provisions of this section, however, shall allow a community maintaining a geographical information system to license and establish costs for the use of the system's computer program and computer software, as defined in section 569.093, RSMo.

7. A community distributing information used in a geographical information system or distributing a geographical information system shall not be liable for any damages which may arise from any error which may exist in the information or the geographical information system.]; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 17

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 24, Section 67.1461, Line 141, by adding after all of said line the following:

"71.014. Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of [nine hundred thousand] **six hundred fifty thousand**, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon verified petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed."; and

Further amend the title, enacting clause and intersectional references accordingly.

Senate Amendment No. 18

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 41, Section 260.210, Line 1, by inserting immediately before said line the following:

"210.860. 1. The governing body of any county or city not within a county may, after voter approval pursuant to this section, levy a **sales** tax not to exceed [twenty-five cents on each one hundred dollars of assessed valuation on taxable property] **one-quarter of a cent** in the county for the purpose of providing counseling, family support, and

temporary residential services to persons eighteen years of age or less. The question shall be submitted to the qualified voters of the county or city not within a county at a county or state general, primary or special election upon the motion of the governing body of the county or city not within a county or upon the petition of eight percent of the qualified voters of the county determined on the basis of the number of votes cast for governor in such county or city not within a county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county or city not within a county shall give legal notice as provided in chapter 115, RSMo. The question shall be submitted in substantially the following form:

Shall County (City) be authorized to levy a **sales** tax of [..... cents on each one hundred dollars of assessed valuation on taxable property in the county (city) for the purpose of establishing a community children's services fund for purposes of providing funds for counseling and related services to children and youth in the county (city) eighteen years of age or less and services which will promote healthy lifestyles among children and youth and strengthen families] **one-quarter of a cent in the county (city) for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well being and safety of children and youth eighteen years of age or less and to strengthen families?**

G YES

G NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall be levied and collected as otherwise provided by law. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not be levied unless and until the question is again submitted to the qualified voters of the county or city not within a county and a majority of such voters are in favor of such a tax, and not otherwise.

2. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury to the credit of a special "Community Children's Services Fund". Such fund shall be administered by a board of directors, established pursuant to section 210.861."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 19

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 25, Section 135.355, Line 19, by inserting after said line the following:

"135.355. 1. The owner of a qualified Missouri project eligible for the Missouri low-income housing tax credit shall submit, at the time of filing the owner's return, an eligibility statement. In the case of failure to attach the eligibility statement, no credit under this section shall be allowed with respect to such project for that year until these copies are provided to the department of revenue.

2. If under section 42 of the 1986 Internal Revenue Code, as amended, a portion of any federal low-income housing credits taken on a low-income project is required to be recaptured **only during the first ten years after a project is placed in service**, the taxpayer claiming state credits with respect to such project shall also be required to recapture a portion of any state credits authorized by this section. The state recapture amount shall be equal to the proportion of the state credit claimed by the taxpayer that equals the proportion the federal recapture amount bears to the original federal low-income housing credit amount subject to recapture."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 20

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 25, Section 92.031, Line 19, by inserting after all of said line the following:

"99.053. 1. Notwithstanding any provision of section 99.050 to the contrary regarding the number of housing commissioners, in any political subdivision except those described in subsection 2 of this section, a sixth housing commissioner may be appointed. Such a commissioner may be appointed, in the same manner as other appointees pursuant to section 99.050, if the housing authority determines that such a commissioner is needed to fulfill any federal requirement stating that at least one person who receives direct assistance from the housing

authority shall serve as a commissioner. Any commissioner appointed to serve as a commissioner for the purposes of meeting the requirement of having a person who is directly assisted by the housing authority shall forfeit such appointment if that person:

- (1) Ceases to meet the requirements of housing commissioners pursuant to section 99.050; or
- (2) Ceases receiving direct assistance from the housing authority for which he or she is a commissioner.

2. The provisions of this section shall not apply to those housing authorities:

- (1) Located within a city not within a county;
 - (2) Located within a city with a population of over four hundred thousand inhabitants;
 - (3) Which are exempted, pursuant to federal law or regulation, from any federal requirement stating that at least one person who receives direct assistance from the housing authority shall serve as a commissioner.";
- and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 21

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1238, Page 41, Section 144.759, Line 21, by inserting immediately after said line the following:

"249.470. **1.** The county commission, after receiving the recommendations of the sewer engineer, may, by resolution, establish the boundaries of the sewer district or districts including therein only such lots, tracts and parcels of ground which may be conveniently served by a sewer, except that whenever the commission of a county of the first classification without a charter form of government deems that a countywide wastewater treatment authority would best serve the needs of such county, the commission may establish a countywide sewer district which shall be subject to the provisions of sections 249.430 to 249.660. The action of the county commission in determining the boundaries of said sewer districts shall be conclusive, provided that, except as otherwise provided in this section, no ground shall be included in a sewer district not contained in the natural drainage area or watercourse, or may be conveniently served through said sewer.

2. For each countywide wastewater treatment authority established pursuant to this section, the county commission of such county shall, by resolution, order, or ordinance, appoint five trustees, all of whom shall reside within the county. In the event there is more than one district within the county organized pursuant to this chapter, no less number of the trustees so appointed shall reside within the district having the greatest number of customers than reside in any other such district in the county. The trustees, whose terms shall begin on the date the authority is established, shall be responsible for the control and operation of the countywide wastewater treatment authority and shall have the same powers and duties as the county commission as provided in this chapter. The term of each trustee shall be five years, except that, of the first board appointed, one member shall serve for one year, one member shall serve for two years, one member shall serve for three years, one member shall serve for four years, and one member shall serve for five years. All vacancies after the initial appointment shall be filled by the county commission. The trustees shall be reimbursed by the district for all reasonable expenses incurred in the performance of their duties, which amount shall not exceed the sum of twenty-five dollars per month.";

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m., Thursday, May 11, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-ninth Day, Tuesday, May 9, 2000, page 1506, roll call, by showing Representatives Miller, Scott, Williams (121) and Wright voting "aye" rather than "absent with leave".

Pages 1506 and 1507, roll call, by showing Representatives Parker and Smith voting "aye" rather than "absent with leave".

Page 1508, roll call, by showing Representative Blunt voting "aye" rather than "absent with leave".

Pages 1508 and 1509, roll call, by showing Representatives Gibbons and Myers voting "aye" rather than "absent with leave".

Pages 1510 and 1511, roll call, by showing Representative Parker voting "aye" rather than "absent with leave".

Pages 1512 and 1513, roll call, by showing Representatives Bartelsmeyer, Gibbons and Naeger voting "aye" rather than "absent with leave".

Pages 1513 and 1514, roll call, by showing Representatives Champion, Chrismer, Hosmer, Naeger and Ross voting "no" rather than "absent with leave".

Page 1522, roll call, by showing Representative Gibbons voting "no" rather than "absent with leave".

Pages 1525 and 1526, roll call, by showing Representative May (108) voting "no" rather than "absent with leave".

Pages 1536 and 1537, roll call, by showing Representative Bartle voting "aye" rather than "present".

Pages 1536 and 1537, roll call, by showing Representative Bartelsmeyer voting "aye" rather than "absent with leave".

Pages 1537 and 1538, roll call, by showing Representative Liese voting "aye" rather than "absent with leave".

Pages 1538 and 1539, roll call, by showing Representatives Hosmer, Liese and Tudor voting "aye" rather than "absent with leave".

Pages 1557 and 1558, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Pages 1557 and 1558, roll call, by showing Representatives Purgason and Wright voting "no" rather than "absent with leave".

Pages 1559 and 1560, roll call, by showing Representatives Hosmer, Robirds and Wright voting "aye" rather than "absent with leave".

Pages 1560 and 1561, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 1564, roll call, by showing Representatives Bartelsmeyer, Champion, Long and Scott voting "aye" rather than "absent with leave".

Page 1564, roll call, by showing Representative Hosmer voting "no" rather than "absent with leave".

Pages 1567 and 1568, roll call, by showing Representatives King, Lawson, Long, Parker and Surface voting "aye" rather than "absent with leave".

Pages 1567 and 1568, roll call, by showing Representatives Hohulin and Purgason voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, May 11, 2000, 8:30 am. Hearing Room 1.

Assignment of Oversight's Interim Work.

STATE PARKS, NATURAL RESOURCES AND MINING

Thursday, May 11, 2000. Side gallery upon noon adjournment.

Executive Session.

To be considered - SCR 42

HOUSE CALENDAR

SEVENTY-FIRST DAY, THURSDAY, MAY 11, 2000

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 45, HCA 1 - Scheve
- 3 HJR 51 - Clayton

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HB 2102 - Hampton
- 3 HB 1066, HCA 1 - Riback Wilson (25)

- 4 HB 1280 - Clayton
- 5 HB 1502 - Smith
- 6 HCS HB 1547 - Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 8 HB 1546 - Smith
- 9 HCS HB 1606 - Bray
- 10 HCS HB 1225 - Hosmer
- 11 HCS HB 1540 - Green
- 12 HCS HB 1942 - Liese
- 13 HCS HB 1578 - Shelton
- 14 HB 2056 - Gunn
- 15 HCS HB 1718 - Smith
- 16 HCS HB 1966 - Hosmer
- 17 HCS HB 1997 - Smith
- 18 HCS HB 1336 - Lakin
- 19 HCS HB 1780 - Liese
- 20 HCS HB 1816 - Hosmer
- 21 HCS HB 1357 - Bonner
- 22 HB 1872 - Seigfreid
- 23 HCS HB 1674 - Graham (24)
- 24 HCS HB 1154 - Boucher
- 25 HCS HB 2114 - Hoppe
- 26 HCS HB 1649 - Williams (121)
- 27 HB 1216 - Kelly (27)
- 28 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1602, as amended - Leake
- 2 HB 1712 - McKenna
- 3 HS HB 1394, as amended - Murray

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 31, (5-1-00, pg. 1158) - Hollingsworth

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 39, (4-13-00, pg. 953) - Clayton
- 2 HCS SCR 37, (5-8-00, pg. 1493) - Williams (159)

SENATE JOINT RESOLUTION FOR THIRD READING

HCS SS SS#3 SJR 35 - Graham (24)

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 678 & 742, as amended, HA 43 pending - May (108)
- 2 HCS SS SB 902 - Treadway
- 3 SCS SB 557 - Smith
- 4 SS SCS SB 867 & 552, (Fiscal Review, 5-2-00) - Scheve
- 5 HCS SS#2 SCS SB 934, 546, 578, 579 & 782 - Hosmer
- 6 HCS SS#2 SCS SB 757 & 602, (Fiscal Review, 5-4-00) - Scheve
- 7 SCS SB 540 - Wiggins
- 8 HCS SS SCS SB 925, E.C. - Williams (159)
- 9 HCS SB 996 - Hosmer
- 10 HCS SCS SB 842, E.C., (Fiscal Review, 5-4-00) - Hoppe
- 11 HCS SB 921 - Treadway
- 12 SB 892, (Fiscal Review, 5-4-00) - Crump
- 13 HCS SCS SB 683, (Fiscal Review, 5-5-00) - Koller
- 14 HCS SS SCS SB 885, (Fiscal Review, 5-5-00) - Smith
- 15 HCS SB 573, E.C., (Fiscal Review, 5-5-00) - Kissell
- 16 HCS SB 974, (Fiscal Review, 5-5-00) - Lakin
- 17 HCS SCS SB 806 & SB 537, E.C., (Fiscal Review, 5-5-00) - Britt
- 18 HCS SB 851 - Kreider
- 19 HCS SCS SB 597, (Fiscal Review, 5-5-00) - Dougherty
- 20 HCS SB 722 - Smith
- 21 SB 910 - Abel
- 22 HCS SS SCS SB 926, E.C., (Fiscal Review, 5-8-00) - Scheve
- 23 SCS SB 685 - Curls

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 HCS SCS SB 894 - Hoppe
- 2 SCS SB 779 - Wiggins
- 3 HCS SB 936, HS as amended, E.C. - Bray

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HCS HB 1967, SA 1 to SCA 1, SCA 1, as amended, & SA 1, E.C. - Hoppe
- 2 SCS HS HB 1238, as amended, E.C. - Hoppe

BILL CARRYING REQUEST MESSAGE

HCS SS SCS SB 763, as amended, (Senate req. House rec/grant conf.) - Kissell

BILLS IN CONFERENCE

- 1 CCR SCS HB 1591 - Backer
- 2 HS HCS SS SB 549, as amended - Van Zandt
- 3 CCR HS HCS SB 788, as amended - Barry
- 4 CCR HS HCS SB 856, as amended - Harlan

- 5 HS HCS SB 896, as amended - May (108)
- 6 HS HCS SB 858 - Smith
- 7 HCS SB 741, as amended - Backer
- 8 SCS HB 1292, as amended - Auer
- 9 HCS SS SB 813, as amended - Kissell
- 10 HJR 50, as amended - Scheve
- 11 HS SB 1053, as amended - Days

HOUSE RESOLUTIONS

- 1 HR 557, (5-1-00, pg. 1160) - Gratz
- 2 HR 504, (5-1-00, pg. 1159) - Gratz
- 3 HR 295, (5-3-00, pg. 1265) - Scheve

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SEVENTY-FIRST DAY, THURSDAY, MAY 11, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

God of human progress, the agenda for this Chamber today again includes a gamut of need and desire which could boggle the mind. From patient care to foster care to sports to veterans bonus to murder defendants and much more, this society presents its needs to its leaders and lawmakers. These honorable representatives ask for a sense of Your priorities, O God, to decide these cases with acumen and grace.

Also, God of infinite time, our time here is so limited. May speed, accuracy, deep perception and compassion be the hallmark of this Chamber's work this day, as the session spins close to the end. Be the calm in the center of this day's concerns, now and always. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Brett Blomme

MOTION

Representative Crump moved that Rule 2 be suspended for one hour, to allow the printing of the House Journal to be completed, at which time the motion for approval of the Journal will be made.

Which motion was adopted by the following vote:

AYES: 128

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Berkowitz	Black	Boucher 48	Bray 84
Britt	Brooks	Burton	Campbell	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Liese	Linton	Long	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt

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Parker	Patek	Phillips	Purgason	Ransdall
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 020

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Blunt	Champion	Chrismer	Cierpiot	Gibbons
Hanaway	Hendrickson	Hohulin	Kelley 47	Levin
Lograsso	Loudon	Luetkemeyer	Pouche 30	Ridgeway

PRESENT: 001

Reid

ABSENT WITH LEAVE: 013

Berkstresser	Boatright	Bonner	Boykins	Dolan
Dougherty	Elliott	Enz	Murphy	Murray
Ostmann	Pryor	Stokan		

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1619 - Representatives Bennett and Gross
House Resolution No. 1620 - Representative Green
House Resolution No. 1621 - Representative Hanaway
House Resolution No. 1622
through
House Resolution No. 1628 - Representative Berkstresser
House Resolution No. 1629 - Representative Riley
House Resolution No. 1630 - Representative Bartle
House Resolution No. 1631 - Representative Kreider

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS SBs 867 & 552 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

BILL CARRYING REQUEST MESSAGE

HCS SS SCS SB 763, as amended, relating to telemarketing, was taken up by Representative Kissell.

Representative Kissell moved that the House refuse to recede from its position on **HCS SS SCS SB 763, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SCS SB 763: Representatives Kissell, Davis (122), McLuckie, Myers and Alter

MOTION

Representative Crump moved that Rule 26 be suspended to allow House conferees to meet while the House is in session on May 11, 2000.

Which motion was adopted by the following vote:

AYES: 142

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Black	Blunt	Boatright	Boucher 48
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pryor	Purgason	Ransdall	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 005

Bartelsmeyer	Hanaway	Hohulin	Lograsso	Wright
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PRESENT: 001

Reid

ABSENT WITH LEAVE: 014

Berkstresser	Bonner	Champion	Dolan	Dougherty
Elliott	Gambaro	Gross	Hartzler 123	Holand
Kennedy	Murphy	Pouche 30	Stokan	

VACANCIES: 001

BILL IN CONFERENCE

CCR SCS HB 1591, relating to nursing home administrators, was taken up by Representative Backer.

On motion of Representative Backer, **CCR SCS HB 1591** was adopted by the following vote:

AYES: 149

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Purgason	Ransdall
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Berkstresser	Boykins	Dolan	Dougherty	Elliott
Gross	Hosmer	Leake	Monaco	Murphy
Pryor	Reid	Stokan		

VACANCIES: 001

On motion of Representative Backer, **SCS HB 1591, as amended by the CCR**, was read the third time and passed by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Boykins	Dolan	Elliott	Gross	Kasten
Leake	Luetkenhaus	Murphy	Reid	Sallee
Stokan	Williams 121			

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Britt moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILLS WITH SENATE AMENDMENTS

HCS HB 1967, with Senate Amendment No. 1 to Senate Committee Amendment No. 1, Senate Committee Amendment No. 1, as amended, and Senate Amendment No. 1, relating to St. Louis Boundary Commission, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to concur in **Senate Amendment No. 1 to Senate Committee Amendment No. 1, Senate Committee Amendment No. 1, as amended, and Senate Amendment No. 1 to HCS HB 1967** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HB 1238, as amended, relating to delinquent property tax, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to adopt **SCS HS HB 1238, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE JOINT RESOLUTION

HCS SS SS#3 SJR 35, relating to compensation of state elected officials, was taken up by Representative Graham (24).

Representative Green offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Substitute #3 for Senate Joint Resolution No. 35, Page 4, Line 76, by inserting after the word “**schedule.**” the following:

“**The general assembly shall never appropriate funds which retroactively increase a member’s salary.**”.

Representative Backer offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Substitute #3 for Senate Joint Resolution No. 35, Page 4, Line 76, by inserting after the word “**schedule.**” the following:

“**The general assembly shall never appropriate funds which retroactively increase the salary of persons whose compensation schedule is fixed by the commission.**”.

Representative Blunt offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**.

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Substitute #3 for Senate Joint Resolution No. 35, Page 2, Section 3, Line 9, by inserting after the word “**salary**” the following:

“**or any other form of compensation**”.

On motion of Representative Blunt, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Backer, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted.

Representative Monaco offered **House Amendment No. 2**.

House Amendment No. 2 was withdrawn.

Representative Monaco offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Substitute #3 for Senate Joint Resolution No. 35, Page 2, Section 3, Line 5, by deleting the words “, **subject to appropriations**,”; and

Further amend on Page 3, Section 8, Line 74, by deleting the words “, **subject to appropriations**,”.

Representative Richardson offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Substitute #3 for Senate Joint Resolution No. 35, Page 1, Section 3, Line 1, by inserting a bracket before the word “**section**” on said line; and

Further amend said resolution, Page 4, Line 93, by inserting a bracket after the word “**assembly**.”; and

Further amend said resolution by removing all bold face and brackets which currently exist in the Senate Joint Resolution No. 35.

Representative Richardson moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

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AYES: 073

Akin	Alter	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Bennett	Berkstresser	Black
Boatright	Burton	Champion	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hartzler 123	Hegeman	Hohulin	Holand
Howerton	Kasten	Kelley 47	King	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	McBride	McClelland
Merideth	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Vogel	Williams 159	Wright		

NOES: 083

Abel	Auer	Barry 100	Berkowitz	Blunt
Boucher 48	Boykins	Bray 84	Britt	Campbell
Chrismer	Crump	Curts	Davis 122	Davis 63
Days	Dougherty	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambara	George
Graham 24	Gratz	Green	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 124	Hendrickson	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Liese	May 108
Mays 50	McKenna	McLuckie	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Pryor
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Tudor	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Wilson 25	Mr. Speaker		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 005

Bonner	Clayton	Gunn	Stokan	Wilson 42
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VACANCIES: 001

House Amendment No. 2 was withdrawn.

Representative Purgason offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Substitute #3 for Senate Joint Resolution No. 35, Page 4, Section 3, Line 87, by inserting after said line the following:

“The commission shall provide notice of the hearings to all media located within the legislative district where said hearing shall take place at least one month prior to holding of said hearing.”.

Representative Purgason moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Blunt offered **House Amendment No. 4**.

Representative Graham (24) raised a point of order that **House Amendment No. 4** is dilatory and amends previously amended material.

The Chair ruled the point of order well taken.

Representative Marble offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Substitute #3 for Senate Joint Resolution No. 35, Page 4, Section 3, Line 81, by placing a bracket around “**Uniform General**” and inserting in lieu thereof “**Average**”.

Representative Marble moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Wright offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Substitute #3 for Senate Joint Resolution No. 35, Page 2, Section 3, Line 8, by inserting at the end of said line the following:

“**However, the commissions salary recommendation for elected officials shall not exceed annually the Consumer Price Index.**”.

Representative Wright moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Speaker Pro Tem Kreider assumed the Chair.

On motion of Representative Graham (24), **HCS SS SS#3 SJR 35, as amended**, was adopted.

On motion of Representative Graham (24), **HCS SS SS#3 SJR 35, as amended**, was read the third time and passed by the following vote:

AYES: 097

Abel	Alter	Backer	Barnett	Barry 100
Berkowitz	Black	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dougherty	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	George
Graham 106	Graham 24	Gratz	Green	Hagan-Harrell

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Hampton	Harlan	Hartzler 123	Hartzler 124	Hickey
Hilgemann	Holand	Hoppe	Hosmer	Kelley 47
Kelly 27	Kennedy	King	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Liese	Long	May 108	Mays 50	McKenna
McLuckie	Merideth	Monaco	Murray	Naeger
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Richardson	Riley	Rizzo
Ross	Sallee	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Summers
Thompson	Treadway	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 056

Akin	Auer	Ballard	Bartelsmeyer	Bartle
Berkstresser	Blunt	Boatright	Burton	Champion
Chrismer	Cierpiot	Crawford	Dolan	Elliott
Enz	Evans	Froelker	Gaskill	Gibbons
Griesheimer	Gross	Hanaway	Hegeman	Hendrickson
Hohulin	Howerton	Kasten	Kissell	Levin
Lograsso	Loudon	Luetkemeyer	Luetkenhaus	Marble
McBride	McClelland	Miller	Murphy	Myers
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Schwab	Scott
Secrest	Shields	Surface	Townley	Tudor
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 009

Bennett	Gunn	Hollingsworth	Linton	Reinhart
Ridgeway	Robirds	Stokan	Troupe	

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Scheve, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

APPROVAL OF THE HOUSE JOURNAL

On motion of Representative Crump, the Journal of the seventieth day was approved as corrected by the following vote:

AYES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Evans
Farnen	Fitzwater	Foley	Ford	Franklin

Fraser	Gambaro	George	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Lakin	Lawson
Leake	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 068

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Foster	Froelker
Gibbons	Graham 106	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kelley 47	King	Klindt	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Patek
Phillips	Pouche 30	Purgason	Reid	Reinhart
Richardson	Robirds	Ross	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Bennett	Gaskill	Holand	Hollingsworth	Kasten
Kreider	Liese	Pryor	Ridgeway	Sallee
Stokan				

VACANCIES: 001

THIRD READING OF SENATE BILL

HCS SS SB 902, relating to gaming, was taken up by Representative Treadway.

Representative Treadway offered **HS HCS SS SB 902**.

Representative Treadway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, Pages 12 & 13, Section 313.807, by striking all of subsection 6 and inserting in lieu thereof the following:

“6. Prior to granting a license for an excursion gambling boat, the commission shall ensure that the applicant complies with all local zoning laws, provided that such laws were not changed to the detriment of the applicant having an ownership interest, including without limitation, an option to purchase, a contingent purchase agreement, leasehold interest or contingent leasehold interest, that is the subject of the zoning law change when such law is enacted subsequent to the filing of such application. Nothing in this section shall be construed to prohibit acting in local law in favor of the applicant having the ownership interest in the property.”.

On motion of Representative Treadway, **House Amendment No. 1** was adopted.

Representative Gross offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, Page 46, Section 313.843, Line 22, by inserting at the end of said line the following:

“(3) Are not offered after 11 o’clock p.m. or any day which immediately precedes a day which public elementary and secondary education schools are scheduled to be in session.”.

Representative Barry offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, Page 46, Section 313.843, Line 23, by inserting after the word “**feet**” the following:

“(3) Are not offered after eleven o’clock p.m. on days which immediately precede days which public elementary and secondary schools in the county in which the licensee is located are scheduled to be in session, and are not offered after one o’clock a.m. on other days.”.

On motion of Representative Barry, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Boucher offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, Page 24, Section 313.820, Line 11 of said page, by inserting after the word “**dollars**” the phrase “**and ten cents**”; and

Further amend said bill, Page 24, Section 313.820, Line 13 of said page, by inserting after the word “**dollar**” the phrase “**and ten cents**”; and

Further amend said bill, Page 24, Section 313.820, Line 20 of said page, by inserting after the number “**313.842**” the following:

“and nine cents of such fee deposited to the credit of the gaming commission may be deposited to the credit of the World War II veterans' recognition award fund created pursuant to section 42.195, RSMo. Notwithstanding any provision of law to the contrary, upon termination of the World War II veterans' recognition award fund, and subject to appropriation, nine cents of such fee deposited to the credit of the gaming commission may be deposited to the credit of the veterans' commission capital improvement trust fund created pursuant to section 313.835.”; and

Further amend said bill, Page 34, Section 313.835, Line 12 of said page, by inserting after the number “**313.820**,” the following:

"and that portion of the admission fee, not to exceed nine cents, that may be appropriated to the World War II veterans' recognition award fund created pursuant to section 42.195, RSMo, or to the credit of the veterans' commission capital improvement trust fund created pursuant to section 313.835 upon termination of the World War II veterans' recognition award fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Boucher, **House Amendment No. 3** was adopted by the following vote:

AYES: 105

Akin	Alter	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Blunt	Boatright	Bonner	Boucher 48	Boykins
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Clayton	Crawford	Curls	Davis 122
Davis 63	Days	Dougherty	Elliott	Enz
Fitzwater	Foley	Ford	Foster	Fraser
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Gross	Hagan-Harrell	Hampton
Hartzler 123	Hartzler 124	Hendrickson	Hickey	Hilgemann
Hohulin	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	King	Kissell	Koller	Kreider
Lakin	Lawson	Legan	Long	Luetkemeyer
May 108	McBride	McClelland	Miller	Murray
Myers	Naeger	Nordwald	O'Connor	Overschmidt
Parker	Patek	Phillips	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Ross	Sallee	Scheve	Schwab
Seigfreid	Selby	Skaggs	Smith	Summers
Surface	Thompson	Tudor	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 042

Abel	Auer	Black	Bray 84	Cierpiot
Crump	Evans	Farnen	Froelker	Gambaro
Griesheimer	Gunn	Hanaway	Hegeman	Holand
Hollingsworth	Kelly 27	Kennedy	Klindt	Leake
Levin	Liese	Linton	Lograsso	Loudon
Marble	Mays 50	McKenna	McLuckie	Murphy
O'Toole	Pouche 30	Ridgeway	Riley	Robirds
Schilling	Secrest	Shelton	Treadway	Vogel
Wagner	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 015

Berkstresser	Dolan	Franklin	Harlan	Luetkenhaus
Merideth	Monaco	Ostmann	Pryor	Scott
Shields	Stokan	Townley	Troupe	Van Zandt

VACANCIES: 001

Representative Froelker offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, Page 24, Section 313.817, Line 8, by inserting before the period “.” the following:

“and a class A misdemeanor for second and subsequent offenses.”.

On motion of Representative Froelker, **House Amendment No. 4** was adopted.

Representative Boatright offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, Page 8, Section 313.805, Line 3, by striking after the word “**purposes**” the following words:

“**The provisions of this subdivision shall apply only to patrons giving identifying information for the first time.**”.

Representative Boatright moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Brooks	Burton	Champion	Chrismer	Cierpiot
Crawford	Elliott	Enz	Foster	Froelker
Gaskill	Gibbons	Graham 106	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Hosmer	Howerton	Kasten	Kelley 47
King	Legan	Levin	Linton	Long
Loudon	Luetkemeyer	Marble	McClelland	Miller
Murphy	Naeger	Patek	Phillips	Pouche 30
Purgason	Reid	Reinhart	Schilling	Schwab
Scott	Secrest	Smith	Summers	Surface
Tudor	Wright			

NOES: 090

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Kelly 27
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Lograsso	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	Nordwald	O'Toole	Ostmann
Overschmidt	Parker	Pryor	Ransdall	Relford
Reynolds	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Seigfreid	Selby
Shelton	Shields	Skaggs	Thompson	Treadway
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Alter	Evans	Kennedy	Klindt	Myers
O'Connor	Richardson	Stokan	Townley	Troupe

VACANCIES: 001

Representative Luetkenhaus offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, Page 22, Section 313.815, Line 13, by deleting the word “**four**” and inserting in lieu thereof the word “**three**”.

On motion of Representative Luetkenhaus, **House Amendment No. 6** was adopted.

Representative Crawford offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, Page 24, Section 313.817, Line 9, by adding to the end of said section the following:

“313.818. No licensee who is an operator of an excursion gambling boat shall establish, maintain, operate or allow the establishment, maintenance or operation of an automated device that processes financial transactions which involve credit cards on an excursion gambling boat. For the purpose of this section, the term “credit card” shall be as defined in the Consumer Credit Protection Act, 15 U.S.C. Section 1602 (k), or successor acts. Violation of this section shall be an administrative penalty, which shall be assessed in accordance with the provisions of subdivision (6) of section 313.805. Any penalty amount assessed by the commission shall be credited to the gaming commission fund, established pursuant to section 313.835.”.

Representative Crawford moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Berkstresser	Boatright	Brooks	Campbell	Champion
Chrismer	Cierpiot	Crawford	Enz	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hampton	Hanaway	Hartzler 124	Hegeman
Hendrickson	Hilgemann	Holand	Hosmer	Kasten
Kelley 47	Kennedy	King	Kissell	Klindt
Legan	Levin	Linton	Loudon	Luetkemeyer
Luetkenhaus	Marble	McClelland	Miller	Murphy
Naeger	Nordwald	Patek	Phillips	Pouche 30
Purgason	Reid	Reinhart	Ridgeway	Robirds
Ross	Schilling	Secrest	Summers	Tudor
Van Zandt				

NOES: 077

Abel	Auer	Backer	Barry 100	Bennett
Berkowitz	Black	Blunt	Bonner	Boucher 48
Boykins	Bray 84	Britt	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	Gambaro	George	Graham 24
Gratz	Gunn	Hagan-Harrell	Harlan	Hickey
Hohulin	Howerton	Kelly 27	Kreider	Lakin
Lawson	Leake	May 108	Mays 50	McBride

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McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Reynolds	Richardson	Riley	Rizzo	Scheve
Schwab	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Thompson	Treadway	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 024

Alter	Burton	Elliott	Evans	Green
Hartzler 123	Hollingsworth	Hoppe	Koller	Liese
Lograsso	Long	Myers	Ostmann	Pryor
Relford	Sallee	Scott	Stokan	Surface
Townley	Troupe	Vogel	Williams 121	

VACANCIES: 001

Representative Wright offered **House Amendment No. 8**.

Representative Blunt offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

*House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, Page 13, Section 313.812, Line 10, by inserting after the word “**section**” on said line the following:

“; however, no gambling boat licensed after January 1, 2000, shall be located within one mile of the nearest public school or within one mile of the nearest veteran’s cemetery.”.

Representative Blunt moved that **House Substitute Amendment No. 1 for House Amendment No. 8** be adopted.

Which motion was defeated.

House Amendment No. 8 was withdrawn.

Representative Holand offered **House Amendment No. 9**.

Representative Auer raised a point of order that **House Amendment No. 9** is dilatory.

The Chair ruled the point of order well taken.

Representative Akin offered **House Amendment No. 9**.

Representative Farnen raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Gross offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, Page 45, Section 313.837, Lines 12-14, by deleting the following:

“and any recommendation for legislation which the commission deems advisable”.

Representative Gross moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Enz	Foster	Froelker	Gaskill
Gibbons	Graham 106	Griesheimer	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Holand	Howerton
Kasten	Kelley 47	King	Klindt	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	McClelland	Miller	Murphy
Naeger	Nordwald	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Schwab	Scott	Secrest
Shields	Summers	Surface	Tudor	Vogel
Wright				

NOES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Ross	Scheve	Schilling	Seigfreid
Selby	Shelton	Smith	Thompson	Treadway
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 012

Alter	Bonner	Elliott	Evans	Hohulin
Myers	Ostmann	Sallee	Skaggs	Stokan
Townley	Troupe			

VACANCIES: 001

Representative Crump moved the previous question on the motion to adopt **HS HCS SS SB 902, as amended.**

Which motion was adopted by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 070

Akin	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Howerton	Kasten	Kelley 47	King
Klindt	Legan	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	McClelland	Miller
Murphy	Naeger	Nordwald	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Alter	Gunn	Hohulin	Holand	Levin
Myers	Ostmann	Stokan		

VACANCIES: 001

On motion of Representative Treadway, **HS HCS SS SB 902, as amended**, was adopted.

On motion of Representative Treadway, **HS HCS SS SB 902, as amended**, was read the third time and passed by the following vote:

AYES: 124

Abel	Akin	Auer	Backer	Barry 100
Bartle	Bennett	Berkowitz	Black	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Chrismer	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty

Enz	Evans	Farnen	Fitzwater	Foley
Ford	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hegeman	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelly 27	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Lograsso
Long	Luetkemeyer	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Naeger	O'Connor
O'Toole	Overschmidt	Parker	Phillips	Pouche 30
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Thompson	Treadway	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 026

Ballard	Barnett	Bartelsmeyer	Berkstresser	Blunt
Burton	Campbell	Cierpiot	Crawford	Elliott
Foster	Froelker	Hanaway	Hartzler 124	Hendrickson
Kelley 47	King	Linton	Loudon	Marble
Purgason	Robirds	Summers	Surface	Townley
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Alter	Champion	Hohulin	McKenna	Myers
Nordwald	Ostmann	Patek	Pryor	Scott
Stokan	Troupe			

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Wagner, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Kennedy moved that motion lay on the table.

The latter motion prevailed.

SCS SB 557, relating to municipal housing commissioners, was taken up by Representative Smith.

On motion of Representative Smith, **SCS SB 557** was truly agreed to and finally passed by the following vote:

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AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Farnen	Fitzwater	Foley	Foster
Franklin	Froelker	Gambara	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hollingsworth	Hoppe
Howerton	Kasten	Kelley 47	Kelly 27	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Miller	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Evans

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Champion	Ford	Fraser	Hohulin
Holand	Hosmer	Kennedy	Lograsso	Luetkemeyer
Parker	Pryor	Stokan		

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative May (108) moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

Representative Smith assumed the Chair.

SS SCS SBs 867 & 552, relating to tax credit programs, was taken up by Representative Scheve.

Representative Scheve offered **HS SS SCS SBs 867 & 552**.

Representative Foley offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 867 & 552, Page 3, Section 82.1050, Line 3, by inserting after all of said line the following:

"135.406. Notwithstanding sections 135.403 and 135.405, no more than one million dollars of the total amount of Missouri small business tax credits available for qualified investments in Missouri small businesses shall be used and made available for qualified investments in Missouri small businesses, which are enterprises which consist of one or more establishments assigned a SIC code of 8731 and the results of the activities of which are designed to be used by establishments assigned a SIC code of 2834, engaged solely in pharmaceutical research and development; but in the event this one million dollars set aside is not used in its entirety by September first of any year, the balance of the credit may be used by other entities qualifying for tax credits under the capital tax credit program as defined in sections 135.400 to 135.430. The limitations of subsection 2 of section 135.403 and section 135.405 upon the amounts of qualified investments, the aggregate of tax credits authorized and the maximum tax credits which may be evidenced by certificates of tax credit issued or owned by a single taxpayer shall not apply to amounts allocated by this section. The director shall give preference in issuing certificates of tax credit to applicants under this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Foley, **House Amendment No. 1** was adopted.

Representative Richardson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 867 & 552, Page 3, Section 135.500.2(1)(a), Line 10, by striking the word "**ten**" in said line and inserting in lieu thereof the word "**fifteen**"; and

Further amend said bill, Page 3, section 135.500.2(1)(b), Line 13, by striking the word "**ten**" in said line and inserting in lieu thereof the word "**fifteen**".

On motion of Representative Richardson, **House Amendment No. 2** was adopted.

Representative Luetkenhaus offered **House Amendment No. 3**.

Representative Britt raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Hartzler (124) offered **House Amendment No. 3**.

Representative Britt raised a point of order that **House Amendment No. 3** goes beyond the scope of the House Substitute and the original bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Gibbons offered **House Amendment No. 3**.

Representative Scheve raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Blunt offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 867 & 552, Page 19, Section 135.545, Line 19, by inserting after said line the following:

“Section 1. For all tax years beginning on or after January 1, 2001, a business entity shall be allowed a credit against its state tax liability imposed pursuant to chapters 143, 147 and 148, RSMo, in an amount equal to fifty percent of any contributions to the state document preservation fund, pursuant to section 109.005, RSMo. The maximum amount of state-wide credits authorized per year shall not exceed one hundred thousand dollars. The secretary of state shall provide a method for claiming such tax credit to approve the credits in the order the application for the credits are received.”; and

Further amend the title and enacting clause accordingly.

Representative Britt raised a point of order that **House Amendment No. 3** goes beyond the scope of the original bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Blunt moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Akin	Alter	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross

Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
Kennedy	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright
Mr. Speaker				

NOES: 077

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Ransdall	Relford	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Smith	Treadway	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42			

PRESENT: 000

ABSENT WITH LEAVE: 009

Ballard	Burton	Ford	Harlan	Parker
Skaggs	Stokan	Thompson	Troupe	

VACANCIES: 001

Representative Crump moved the previous question on the adoption of **HS SS SCS SBs 867 & 552**.

Which motion was adopted by the following vote:

AYES: 085

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

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NOES: 074

Akin	Alter	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 003

Ballard	Burton	Stokan
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VACANCIES: 001

On motion of Representative Scheve, **HS SS SCS SBs 867 & 552, as amended**, was adopted by the following vote:

AYES: 118

Abel	Auer	Backer	Barnett	Barry 100
Bartle	Bennett	Berkowitz	Black	Boucher 48
Boykins	Britt	Brooks	Campbell	Chrismer
Cierpiot	Clayton	Crump	Curls	Davis 122
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hegeman	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Leake	Legan	Liese	Long	Loudon
Luetkemeyer	May 108	Mays 50	McBride	McClelland
McKenna	Merideth	Monaco	Murray	Myers
Naeger	O'Toole	Overschmidt	Parker	Purgason
Ransdall	Relford	Richardson	Ridgeway	Riley
Rizzo	Robirds	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 031

Akin	Alter	Bartelsmeyer	Berkstresser	Blunt
Boatright	Champion	Crawford	Froelker	Gross
Hartzler 123	Hartzler 124	Hendrickson	Levin	Linton
Lograsso	Luetkenhaus	Marble	Miller	Murphy
Nordwald	O'Connor	Phillips	Pouche 30	Pryor
Reid	Reinhart	Reynolds	Ross	Selby
Townley				

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Bonner	Bray 84	Burton	Davis 63
Hosmer	Lawson	McLuckie	Ostmann	Patek
Sallee	Stokan	Ward		

VACANCIES: 001

On motion of Representative Scheve, **HS SS SCS SBs 867 & 552, as amended**, was read the third time and passed by the following vote:

AYES: 149

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Berkstresser
Black	Blunt	Boatright	Boucher 48	Boykins
Britt	Brooks	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 005

Campbell	Luetkenhaus	Murphy	Patek	Reynolds
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PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Bennett	Berkowitz	Bonner	Bray 84
Burton	Hagan-Harrell	Stokan		

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Shelton moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HS HCS HB 1797**, entitled:

An act to repeal section 303.044, RSMo 1994 and sections 302.178, 303.025, 303.026, 303.041, 303.042, 303.190, 303.406, 303.409, 303.412 and 303.415, RSMo Supp. 1999, relating to motor vehicles, and to enact in lieu thereof twelve new sections relating to the same subject, with penalty provisions, an effective date for certain sections and an expiration date for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 9, Senate Amendment No. 10

Senate Amendment No. 1

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 1, Section 302.178, Line 8 of said page, by inserting before said line the following:

“302.160. When the director of revenue receives notice of a conviction in another state or from a federal court [of an offense on a federal military installation], which, if committed in this state, would result in the assessment of points, [he] **the director** is authorized to assess the points and suspend or revoke the operating privilege when the accumulated points so require as provided in section 302.304.”; and

Further amend said bill, Page 6, Section 303.025, Line 9 of said page, by inserting before all of said line the following:

“302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

- | | |
|--|-----------|
| (1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 | 2 points |
| (except any violation of municipal stop sign ordinance where no accident is involved | 1 point) |
| (2) Speeding | |
| In violation of a state law | 3 points |
| In violation of a county or municipal ordinance | 2 points |
| (3) Leaving the scene of an accident in violation of section 577.060, RSMo | 12 points |
| In violation of any county or municipal ordinance | 6 points |
| (4) Careless and imprudent driving in violation of subsection 4 of section 304.016, RSMo | 4 points |
| In violation of a county or municipal ordinance | 2 points |
| (5) Operating without a valid license in violation of subdivision (1) or (2) of subsection | |

1 of section 302.020:

- (a) For the first conviction 2 points
- (b) For the second conviction 4 points
- (c) For the third conviction 6 points
- (6) Operating with a suspended or revoked license prior to restoration of
operating privileges 12 points
- (7) Obtaining a license by misrepresentation 12 points
- (8) For the first conviction of driving
while in an intoxicated condition or under the influence of controlled substances or drugs 8 points
- (9) For the second or subsequent conviction
of any of the following offenses however combined: driving while in an intoxicated
condition, driving under the influence of controlled substances or drugs or
driving with a blood alcohol content of ten-hundredths of one
percent or more by weight 12 points
- (10) For the first conviction for driving with blood alcohol content
ten-hundredths of one percent or more by weight
In violation of state law 8 points
In violation of a county or municipal ordinance
or federal law or regulation 8 points
- (11) Any felony involving the use of a motor vehicle 12 points
- (12) Knowingly permitting unlicensed operator to operate a motor vehicle 4 points
- (13) For a conviction for failure to maintain financial responsibility pursuant
to county or municipal ordinance or pursuant to section 303.025, RSMo 4 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle rider training course approved by the director of the department of public safety, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2), or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. For the purposes of this subsection, the driver improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the director of the department of public safety pursuant to sections 302.133 to 302.138. The completion of a driver improvement program or a motorcycle rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver improvement program or motorcycle rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 18, Section 303.190, Lines 10-25 of said page, by striking said lines; and

Further amend said bill and section, Page 19, Lines 1 to 25 of said page, by striking said lines; and

Further amend said bill and section, Page 20, Lines 1 to 25 of said page, by striking said lines; and

Further amend said bill and section, Page 21, Lines 1 to 25 of said page, by striking said lines; and

Further amend said bill and section, Page 22, Lines 1 to 7 of said page, by striking said lines; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 1, Section A, Line 7, by inserting immediately after said line the following:

“301.025. 1. No state registration license to operate any motor vehicle in this state shall be issued unless the application for license of a motor vehicle or trailer is accompanied by a tax receipt for the tax year which immediately precedes the year in which the vehicle's or trailer's registration is due and which reflects that all taxes, including delinquent taxes from prior years, have been paid, or a statement certified by the county or township collector of the county or township in which the applicant's property was assessed showing that the state and county tangible personal property taxes for such previous tax year and all delinquent taxes due have been paid by the applicant or that no such taxes were due or, if the applicant is not a resident of this state and serving in the armed forces of the United States, the application is accompanied by a leave and earnings statement from such person verifying such status. In the event the registration is a renewal of a registration made two or three years previously, the application shall be accompanied by proof that taxes were not due or have been paid for the two or three years which immediately precede the year in which the motor vehicle's or trailer's registration is due; **except when electronic personal property tax data has been provided to the department of revenue, and the department of revenue verifies that personal property taxes have been paid for the two or three years which immediately precede the year in which the motor vehicle's or trailer's registration is due, the department of revenue shall accept those records as proof that the taxpayer has paid said personal property taxes.** The county or township collector shall not be required to issue a receipt for the immediately preceding tax year until all personal property taxes, including all delinquent taxes currently due, are paid. **If the applicant was a resident of another county of this state in the applicable preceding years, he or she must submit to the collector in the county or township of residence proof that the personal property tax was paid in the applicable tax years.** Every county and township collector shall give each person a tax receipt or a certified statement of tangible personal property taxes paid. The receipt issued by the county collector in any county of the first classification with a charter form of government which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand inhabitants which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any county of the first classification without a charter form of government with a population of at least one hundred ten thousand but less than one hundred fifty thousand inhabitants shall be determined null and void if the person paying tangible personal property taxes issues or passes a check or other similar sight order which is returned to the collector because the account upon which the check or order was drawn was closed or did not have sufficient funds at the time of presentation for payment by the collector to meet the face amount of the check or order. The collector may assess and collect in addition to any other penalty or interest that may be owed, a penalty of ten dollars or five percent of the total amount of the returned check or order whichever amount is greater to be deposited in the county general revenue fund, but in no event shall such penalty imposed exceed one hundred dollars. The collector may refuse to accept any check or other similar sight order in payment of any tax currently owed plus penalty or interest from a person who previously attempted to pay such amount with a check or order that was returned to the collector unless the remittance is in the form

of a cashier's check, certified check or money order. If a person does not comply with the provisions of this section, a tax receipt issued pursuant to this section is null and void and no state registration license shall be issued or renewed. Where no such taxes are due each such collector shall, upon request, certify such fact and transmit such statement to the person making the request. Each receipt or statement shall describe by type the total number of motor vehicles on which personal property taxes were paid, and no renewal of any state registration license shall be issued to any person for a number greater than that shown on his or her tax receipt or statement except for a vehicle which was purchased without another vehicle being traded therefor, or for a vehicle previously registered in another state, provided the application for title or other evidence shows that the date the vehicle was purchased or was first registered in this state was such that no personal property tax was owed on such vehicle as of the date of the last tax receipt or certified statement prior to the renewal. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms. **Residents of counties with a township form of government and with township collectors shall present personal property tax receipts which have been paid for the preceding two years when registering under this section.**

2. Every county collector in counties with a population of over six hundred thousand and less than nine hundred thousand shall give priority to issuing tax receipts or certified statements pursuant to this section for any person whose motor vehicle registration expires in January. Such collector shall send tax receipts or certified statements for personal property taxes for the previous year within three days to any person who pays the person's personal property tax in person, and within twenty working days, if the payment is made by mail. Any person wishing to have priority pursuant to this subsection shall notify the collector at the time of payment of the property taxes that a motor vehicle registration expires in January. Any person purchasing a new vehicle in December and licensing such vehicle in January of the following year, may use the personal property tax receipt of the prior year as proof of payment.

3. In addition to all other requirements, the director of revenue shall not register any vehicle subject to the heavy vehicle use tax imposed by Section 4481 of the Internal Revenue Code of 1954 unless the applicant presents proof of payment, or that such tax is not owing, in such form as may be prescribed by the United States Secretary of the Treasury. No proof of payment of such tax shall be required by the director until the form for proof of payment has been prescribed by the Secretary of the Treasury.

4. Beginning July 1, 2000, a county or township collector may notify, by ordinary mail, any owner of a motor vehicle for which personal property taxes have not been paid that if full payment is not received within thirty days the collector may notify the director of revenue to suspend the motor vehicle registration for such vehicle. Any notification returned to the collector by the post office shall not result in the notification to the director of revenue for suspension of a motor vehicle registration. Thereafter, if the owner fails to timely pay such taxes the collector may notify the director of revenue of such failure. Such notification shall be on forms designed and provided by the department of revenue and shall list the motor vehicle owner's full name, including middle initial, the owner's address, and the year, make, model and vehicle identification number of such motor vehicle. Upon receipt of this notification the director of revenue may provide notice of suspension of motor vehicle registration to the owner at the owner's last address shown on the records of the department of revenue. Any suspension imposed may remain in effect until the department of revenue receives notification from a county or township collector that the personal property taxes have been paid in full. Upon the owner furnishing proof of payment of such taxes and paying a twenty dollar reinstatement fee to the director of revenue the motor vehicle or vehicles registration shall be reinstated. In the event a motor vehicle registration is suspended for nonpayment of personal property tax the owner so aggrieved may appeal to the circuit court of the county of his or her residence for review of such suspension at any time within thirty days after notice of motor vehicle registration suspension. Upon such appeal the cause shall be heard de novo in the manner provided by chapter 536, RSMo, for the review of administrative decisions. The circuit court may order the director to reinstate such registration, sustain the suspension of registration by the director or set aside or modify such suspension. Appeals from the judgment of the circuit court may be taken as in civil cases. The prosecuting attorney of the county where such appeal is taken shall appear in behalf of the director, and prosecute or defend, as the case may require.

5. [No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.] **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.**

[301.025. 1. No state registration license to operate any motor vehicle in this state shall be issued unless the application for license of a motor vehicle or trailer is accompanied by a tax receipt for the tax year which immediately precedes the year in which the vehicle's or trailer's registration is due or a statement certified by the county or township collector of the county or township in which the applicant's property was assessed showing that the state and county tangible personal property taxes for such previous tax year have been paid by the applicant or that no such taxes were due or, if the applicant is not a resident of this state and serving in the armed forces of the United States, the application is accompanied by a leave and earnings statement from such person verifying such status. Every county and township collector shall give each person a tax receipt or a certified statement of tangible personal property taxes paid. The receipt issued by the county collector in any county of the first classification with a charter form of government which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand inhabitants which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any county of the first classification without a charter form of government with a population of at least one hundred ten thousand but less than one hundred fifty thousand inhabitants shall be determined null and void if the person paying tangible personal property taxes issues or passes a check or other similar sight order which is returned to the collector because the account upon which the check or order was drawn was closed or did not have sufficient funds at the time of presentation for payment by the collector to meet the face amount of the check or order. The collector may assess and collect in addition to any other penalty or interest that may be owed, a penalty of ten dollars or five percent of the total amount of the returned check or order whichever amount is greater to be deposited in the county general revenue fund, but in no event shall such penalty imposed exceed one hundred dollars. The collector may refuse to accept any check or other similar sight order in payment of any tax currently owed plus penalty or interest from a person who previously attempted to pay such amount with a check or order that was returned to the collector unless the remittance is in the form of a cashier's check, certified check or money order. If a person does not comply with the provisions of this section, a tax receipt issued pursuant to this section is null and void and no state registration license shall be issued or renewed. Where no such taxes are due each such collector shall, upon request, certify such fact and transmit such statement to the person making the request. Each receipt or statement shall describe by type the total number of motor vehicles on which personal property taxes were paid, and no renewal of any state registration license shall be issued to any person for a number greater than that shown on his or her tax receipt or statement except for a vehicle which was purchased without another vehicle being traded therefor, or for a vehicle previously registered in another state, provided the application for title or other evidence shows that the date the vehicle was purchased or was first registered in this state was such that no personal property tax was owed on such vehicle as of the date of the last tax receipt or certified statement prior to the renewal. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms.

2. Every county collector in counties with a population of over six hundred thousand and less than nine hundred thousand shall give priority to issuing tax receipts or certified statements pursuant to this section for any person whose motor vehicle registration expires in January. Such collector shall send tax receipts or certified statements for personal property taxes for the previous year within three days to any person who pays the person's personal property tax in person, and within twenty working days, if the payment is made by mail. Any person wishing to have priority pursuant to this subsection shall notify the collector at the time of payment of the property taxes that a motor vehicle registration expires in January. Any person purchasing a new vehicle in December and licensing such vehicle in January of the following year, may use the personal property tax receipt of the prior year as proof of payment.

3. In addition to all other requirements, the director of revenue shall not register any vehicle subject to the heavy vehicle use tax imposed by Section 4481 of the Internal Revenue Code of 1954 unless the applicant presents proof of payment, or that such tax is not owing, in such form as may be prescribed by the United States Secretary of the Treasury. No proof of payment of such tax shall be required by the director until the form for proof of payment has been prescribed by the Secretary of the Treasury.]”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“32.300. In a county where personal property tax records are accessible via computer, and when proof of motor vehicle liability insurance, safety inspections and emission inspections where required are verifiable by computer, the department of revenue shall design and implement, a motor vehicle license renewal system which may be used through the department's Internet web site connection. The online license renewal system shall be available no later than January 1, 2002. The department of revenue shall also design and implement an online system allowing the filing and payment of Missouri state taxes through the department's Internet web site connection. The online tax filing and payment system shall be available for the payment of Missouri state taxes for tax years beginning on or after January 1, 2002.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 1, Section A, Line 7, by inserting after all of said line the following:

“301.474. 1. Any person who has been awarded the military service award known as the “bronze star” may apply for bronze star motor vehicle license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such person shall make application for the bronze star license plates on a form provided by the director of revenue and furnish such proof as a recipient of the bronze star as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the director with the words “BRONZE STAR” in place of the words “SHOW-ME STATE”. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the bronze star.

3. If the person has been awarded a bronze star with a “V” for valor device on the medal, then the director of revenue shall issue plates bearing the letter “V” in addition to the words and images required by this section. Such letter “V” shall be placed on the plate in a conspicuous manner as determined by the director.

4. There shall be a fifteen-dollar fee in addition to the regular registration fees charged for each set of bronze star license plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for vehicles owned solely or jointly by such person. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

301.475. Any person who has been awarded the combat medic badge may apply for combat medic motor vehicle license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the license plates on a form provided by the director of revenue and furnish such proof as a recipient of the combat medic badge as the director may require. Upon presentation of proof of eligibility, the director shall then issue license plates bearing the words “COMBAT MEDIC” in place of the words “SHOW-ME STATE”, except that such license plates shall be made with fully reflective material, shall be clearly visible at night, and shall be aesthetically attractive. Such plates shall also bear an image of the combat medic badge. There shall be a fee of fifteen dollars in addition to the regular registration fees charged for plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for vehicles owned solely or jointly by such person. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

301.476. Any person who served in the military operation known as Desert Storm or Desert Shield and either currently serves in any branch of the United States armed forces or was honorably discharged from such service may apply for Desert Storm or Desert Shield motor vehicle license plates, for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the license plates authorized by this section on a form provided by the director of revenue and furnish such proof of service in desert storm or desert shield and status as currently serving in a branch of the armed forces of the United States or as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility, payment of a fifteen-dollar fee in addition to the regular registration fees and presentation of documents which may be required by law, the director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the director, with the words "GULF WAR VETERAN" in place of the words "SHOW-ME STATE". Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. Such plates shall also bear an image of the southwest Asia service medal awarded for service in Desert Storm or Desert Shield. The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. There shall be no limit on the number of license

plates any person qualified pursuant to this section may obtain so long as each set of license plates issued pursuant to this section is issued for vehicles owned solely or jointly by such person. License plates issued pursuant to this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

301.3031. 1. Whenever a vehicle owner pursuant to this chapter makes an application for a military license plate, the director of revenue shall notify the applicant that the applicant may make a voluntary contribution of ten dollars to the World War II memorial trust fund established pursuant to this section. The director shall transfer all contributions collected to the state treasurer for credit to and deposit in the trust fund.

2. There is established in the state treasury the "World War II Memorial Trust Fund". The state treasurer shall credit to and deposit in the World War II memorial trust fund all amounts received pursuant to this section, and any other amounts which may be received from grants, gifts, bequests, the federal government, or other sources granted or given for purposes of this section.

3. The Missouri veterans' commission shall administer the trust fund. The trust fund shall be used to participate in the funding of the National World War II Memorial to be located at a site dedicated on November 11, 1995, on the National Mall in Washington, D.C.

4. The state treasurer shall invest moneys in the trust fund in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo. All earnings resulting from the investment of moneys in the trust fund shall be credited to the trust fund. The general assembly may appropriate moneys annually from the trust fund to the department of revenue to offset costs incurred for collecting and transferring contributions pursuant to subsection 1 of this section. The provisions of section 33.080, RSMo, requiring all unexpended balances remaining in various state funds to be transferred and placed to the credit of the ordinary revenue fund of this state at the end of each biennium shall not apply to the trust fund.

301.3053. 1. Any person who has been awarded the military service award known as the "Distinguished Flying Cross" may apply for Distinguished Flying Cross motor vehicle license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such person shall make application for the Distinguished Flying Cross license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Distinguished Flying Cross as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the director with the words "DISTINGUISHED FLYING CROSS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the Distinguished Flying Cross.

3. There shall be a fifteen-dollar fee in addition to the regular registration fees charged for each set of Distinguished Flying Cross license plates issued pursuant to this section. A fee for the issuance of personalized license plates pursuant to section 301.144, shall not be required for plates issued pursuant to this section. There shall be no limit on the number of license plates any person qualified pursuant to this section may obtain so long

as each set of license plates issued pursuant to this section are issued for vehicles owned solely or jointly by such person. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

301.3055. 1. Any person who wishes to pay tribute to those persons who were prisoners of war or those now listed as missing in action may apply for specialized motor vehicle license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Upon presentation of the annual statement, payment of a fifteen-dollar fee in addition to other registration fees and documents which may be required by law, the director of revenue shall issue a specialized license plate which shall have the words "MISSOURI REMEMBERS" on the license plates in preference to the words "SHOW-ME STATE". Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. Such license plate shall also bear the POW/MIA insignia. The license plate authorized by this section shall be made with a fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

301.3062. 1. Any vehicle owner who is a member of and has obtained an annual emblem-use authorization statement from the American Legion may apply for American Legion license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The American Legion hereby authorize the use of their official emblem to be affixed on multi-year personalized license plates as provided in this section. Any vehicle owner may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Legion, the American Legion shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented to the department of revenue at the time of registration of a motor vehicle.

3. Upon presentation of the annual statement and payment of a fifteen-dollar fee in addition to the regular registration fees and presentation of other documents which may be required by law, the department of revenue shall issue a personalized license plate to the vehicle owner, which shall bear the emblem of the American Legion in a form prescribed by the director. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. A fee for the issuance of personalized license plates issued pursuant to section 301.144, shall not be required for plates issued pursuant to this section.

4. A vehicle owner, who was previously issued a plate with the American Legion emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the American Legion emblem, as otherwise provided by law.

5. The director of revenue may promulgate rules and regulations for the administration of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 1, Section A, Line 7, by inserting after all of said line the following:

"301.3051. 1. Any member of the Ancient Arabic Order, Nobles of the Mystic Shrine of North America (Shriners) living within the state of Missouri and who has a motor vehicle which complies with the provisions of section 303.025, RSMo, may receive special license plates as prescribed in this section after an annual payment of an emblem-use authorization fee to the Shrine temple to which the person is a member in good standing. The Shrine temple described in this section shall authorize the use of its official emblem to be affixed on multi-year personalized license plates as provided in this section. Any contribution to such Shrine temple derived from this

section, except reasonable administrative costs, shall be contributed to the Shriners Hospitals for Crippled and Burned Children. Any member of such Shrine temple may annually apply to the temple for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Shrine temple, the temple shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the member to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen-dollar fee in addition to the registration fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the emblem of the Shrine, to the vehicle owner.

3. The license plate authorized by this section shall be in a form as prescribed in section 301.129, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. A vehicle owner, who was previously issued a plate with the Shrine emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Shrine emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 1, Section A, Line 7 by inserting at the end of said line the following:

“301.3041. 1. The Wilson’s Creek National Battlefield Foundation may authorize the use of its official emblem to be applied on multi-year personalized license plates as provided in this section.

2. Any contribution to the Wilson’s Creek National Battlefield Foundation derived from this section, except reasonable administrative costs, shall be used for the purpose of promoting and supporting the objectives of the Wilson’s Creek National Battlefield Park. Any vehicle owner may annually apply to the foundation for use of the emblem. Upon annual application and payment of a twenty-five dollar emblem use contribution to the foundation, the foundation shall issue to the vehicle owner, without further charge, an “emblem use authorization statement”, which shall be presented by the vehicle owner to the department of revenue at the time of registration.

3. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the seal, emblem or logo of the foundation, to the vehicle owner. The license plate authorized by this section shall use a process to ensure that the emblem shall be displayed upon the license plate in the clearest and most attractive manner possible. The license plate authorized by this section shall be issued with a design approved by both the foundation and the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design and shall be aesthetically attractive, as prescribed by section 301.130.

4. A vehicle owner who was previously issued a plate with an institutional emblem authorized by this section and who does not provide an emblem use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the emblem, as otherwise provided by law.”; and

Further amend title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 1, Section A, Line 7, by adding immediately after the end of said line the following:

“32.055. Subject to the provisions of sections 32.090 and 32.091, the director of revenue [may] **shall not** sell lists of motor vehicle registrations **or other personal information held by the department of revenue for the purposes of bulk distribution for surveys, marketing and solicitations. Individual motor vehicle registration records and other personal information held by the department of revenue may be disclosed** to any person or organization organized under an act of the Congress of the United States in accordance with the fee limitations as provided in section 610.026, RSMo.

[32.080. 1. Notwithstanding other provisions of law, the director of revenue may destroy motor vehicle, driver's license, or tax reports, returns and other related documents at any time if such reports, returns, and other related documents have been photographed, microphotographed, electronically generated, electronically recorded, photostated, reproduced on film or other process capable of producing a clear, accurate and permanent copy of the original. Such film or reproducing material shall be of durable material and the device used to reproduce the records, reports, returns, and other related documents on film or material shall be such as to accurately reproduce and perpetuate the original records, reports, returns and other documents in all details.

2. The reproductions so made may be used as permanent records of the original. When microfilm or a similar reproduction is used as a permanent record by the director of revenue, one copy shall be stored in a fireproof vault and other copies may be made for use by any person entitled thereto. All reproductions shall retain the same confidentiality as is provided in the law regarding the original record.

3. Such photostatic copy, photograph, microphotograph, electronically generated, electronically recorded, or other process copy shall be deemed to be an original record for all purposes, and shall be admissible in evidence in all courts or administrative agencies. A transcript, exemplification or certified copy of any motor vehicle, driver's license or tax reports, records, returns and other related documents made from such photostatic copy, photograph, microphotograph, electronically generated, electronically recorded, or other process copy shall, for all purposes be deemed to be a transcript, exemplification or certified copy of the original and shall be admissible in evidence in all courts or administrative agencies. No document shall be admissible pursuant to this section unless the offeror shall comply with section 490.692, RSMo.

4. Reproductions made of motor vehicle, driver's license, or tax reports, returns and related documents hereunder shall be preserved for four years and thereafter until the director of revenue orders them to be destroyed.

5. Notwithstanding other provisions of law, the department of revenue may allow the electronic filing of any motor vehicle, driver's license, or tax records, reports, returns and other related documents. A transcript, exemplification or certified copy of any electronically filed motor vehicle, driver's license or tax reports, records, returns and other related document upon certification of the director of revenue shall be admissible in evidence in all courts or administrative agencies without further proof. "Records, reports, returns, and other related documents" include, but are not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, deposited or filed with the department of revenue.

6. Any clear, accurate and nontransient output of a record of ownership, lien or satisfaction of a lien maintained electronically by the director of revenue as permitted in sections 301.600 to 301.640, RSMo, shall be deemed to be an original record for all purposes and shall be admissible in evidence in all courts or administrative agencies. A facsimile, exemplification or certified copy thereof, shall be deemed to be a transcript, exemplification or certified copy of the original.

7. Notwithstanding other provisions of law, the department of revenue may determine alternative methods for the signing, subscribing or verifying of a record, report, return, application, driver's license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, return, or related document.]

32.080. 1. Notwithstanding other provisions of law, the director of revenue may destroy motor vehicle, driver's license, or tax reports, returns and other related documents at any time if such reports, returns, and other related documents have been photographed, microphotographed, electronically generated, electronically recorded, photostated, reproduced on film or other process capable of producing a clear, accurate and permanent copy of the original. Such film or reproducing material shall be of durable material and the device used to reproduce the records, reports, returns, and other related documents on film or material shall be such as to accurately reproduce and perpetuate the original records, reports, returns and other documents in all details.

2. The reproductions so made may be used as permanent records of the original. When microfilm or a similar reproduction is used as a permanent record by the director of revenue, one copy shall be stored in a fireproof vault and other copies may be made for use by any person entitled thereto. All reproductions shall retain the same confidentiality as is provided in the law regarding the original record.

3. Such photostatic copy, photograph, microphotograph, electronically generated, electronically recorded, or other process copy shall be deemed to be an original record for all purposes, and shall be admissible in evidence in all courts or administrative agencies. A transcript, exemplification or certified copy of any motor vehicle, driver's license or tax reports, records, returns and other related documents made from such photostatic copy, photograph, microphotograph, electronically generated, electronically recorded, or other process copy shall, for all purposes be deemed to be a transcript, exemplification or certified copy of the original and shall be admissible in evidence in all courts or administrative agencies. No document shall be admissible under this section unless the offeror shall comply with section 490.692, RSMo.

4. Reproductions made of motor vehicle, driver's license, or tax reports, returns and related documents hereunder shall be preserved for four years and thereafter until the director of revenue orders them to be destroyed.

5. Notwithstanding other provisions of law, the department of revenue may allow the electronic filing, **issuance or renewal** of any motor vehicle, driver's license, or tax records, reports, returns and other related documents. **All restrictions imposed by law that apply to the disclosure of information by the department of revenue shall also apply to any persons or entities contracting with the director of the department of revenue to provide electronic filing, issuance or renewal services. Notwithstanding other provisions of law, any online access or access via other electronic means granted to such persons or entities may be limited to the persons or entities providing such electronic filing, issuance or renewal services.**

6. A transcript, exemplification or certified copy of any electronically filed motor vehicle, driver's license or tax reports, records, returns and other related document upon certification of the director of revenue shall be admissible in evidence in all courts or administrative agencies without further proof. "Records, reports, returns, and other related documents" include, but are not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, deposited or filed with the department of revenue.

[6.] 7. Notwithstanding other provisions of law, the department of revenue may determine alternative methods for the signing, subscribing or verifying of a record, report, return, application, driver's license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, return, or related document.

[7.] 8. The director of revenue may renew motor vehicle registrations by electronic means when the information, fees and documents required by chapters 301, 303 and 307, RSMo, to accompany such application are provided to the director electronically in a format prescribed by the director of revenue.

[8.] 9. The director of revenue may prescribe rules and regulations for the effective administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 1, 2000, if it fully complied with the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

32.090. 1. The department of revenue shall keep a record of each application or other document filed with it and each certificate or other official document issued by it.

2. Except as otherwise provided by law, all records of the department of revenue are public records and shall be made available to the public according to procedures established by the department.

3. [Except as otherwise provided by law,] Personal information obtained by the department shall **not** be disclosed to any person requesting such personal information [if the individual whose personal information is requested has not elected to prohibit the disclosure of such personal information pursuant to] **except as provided in** section 32.091.

32.091. 1. As used in sections 32.090 and 32.091, the following terms mean:

(1) "Motor vehicle record", any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration or identification card issued by the department of revenue;

(2) "Person", an individual, organization or entity, but does not include a state or agency thereof;

(3) "Personal information", information that identifies an individual, including an individual's photograph, Social Security number, driver identification number, name, address, but not the five-digit zip code, telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations and driver's status.

2. The department of revenue may disclose individual motor vehicle records pursuant to section 2721(b)(11) of Title 18 of the United States Code and may disclose motor vehicle records in bulk pursuant to section 2721(b)(12) of

Title 18 of the United States Code [in the manner prescribed in this section. The department shall provide to all individuals for which such records are maintained a method by which an individual may prohibit personal information in such individual's records from being disclosed pursuant to this section], **as amended by Public Law 106-69, Section 350, only if the department has obtained the express consent of the person to whom such personal information pertains.**

3. [A notice that the personal information may be disclosed pursuant to this section and a notice of an individual's right to prohibit such disclosure shall be printed on all forms for issuance or renewal of motor vehicle titles and registrations prescribed in chapter 301, RSMo, and forms for issuance or renewal of motor vehicle operator's permits, licenses and personal identification cards issued pursuant to chapter 302, RSMo, in a clear and conspicuous manner. In addition, with respect to bulk disclosures, the department shall ensure that the personal information disclosed shall be used, rented or sold solely for bulk distribution for surveys, marketing and solicitations, and that such surveys, marketing and solicitations shall not be directed at individuals who have notified the department in a timely manner that they do not want the personal information contained in motor vehicle records disclosed.] **Notwithstanding any other provisions of law to the contrary, the department of revenue shall not disseminate a person's driver's license photograph, Social Security number and medical or disability information from a motor vehicle record, as defined in section 2726(1) of Title 18 of the United States Code without the express consent of the person to whom such information pertains, except for uses permitted under Sections 2721(b)(1), 2721(b)(4), 2721(b)(6) and 2721(b)(9) of Title 18 of the United States Code.**

4. [Notwithstanding any other provision of law to the contrary,] The department of revenue shall disclose any motor vehicle record or personal information permitted to be disclosed pursuant to Sections 2721(b)(1) to 2721(b)(10) and 2721(b)(13) to 2721(b)(14) of Title 18 of the United States Code **except for the personal information described in subsection 3 of this section.**

5. Pursuant to Section 2721(b)(14) of Title 18 of the United States Code, any person who has a purpose to disseminate to the public a newspaper, book, magazine, broadcast or other similar form of public communication, including dissemination by computer or other electronic means, may request the department to provide individual or bulk motor vehicle records, such dissemination being related to the operation of a motor vehicle or to public safety. Upon receipt of such request, the department shall release the requested motor vehicle records. [It is the public policy of this state that records be open to the public unless otherwise provided by law. The disclosure provisions of this section shall be liberally construed and the exemptions strictly construed to promote this public policy.]

6. This section is not intended to limit media access to any personal information when such access is provided by agencies or entities in the interest of public safety and is otherwise authorized by law.”; and

Further amend said bill by amending the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SA 1 to SCA 1, SCA 1, as amended**, and **SA 1 to HCS HB 1967** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 922, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HB 1238, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Mathewson, Quick, Johnson, Childers and Mueller.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SCS SB 763, as amended**: Senators Howard, DePasco, Maxwell, Childers and Klarich.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1948**, and has taken up and passed **CCS SCS HB 1948**.

On motion of Representative Crump, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Kreider.

RESOLUTIONS

Representative Boucher offered House Resolution No. 1686 and House Resolution No. 1687.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1632

and

House Resolution No. 1633 - Representative Bartelsmeyer
House Resolution No. 1634 - Representative Hartzler (124)
House Resolution No. 1635 - Representative Backer, et al
House Resolution No. 1636 - Representative McClelland, et al
House Resolution No. 1637 - Representative Surface
House Resolution No. 1638

through

House Resolution No. 1680 - Representative Cierpiot
House Resolution No. 1681 - Representative Purgason
House Resolution No. 1682 - Representative Pouche
House Resolution No. 1683 - Representative Kelly (27)
House Resolution No. 1684 - Representative Enz
House Resolution No. 1685 - Representative Treadway, et al
House Resolution No. 1688 - Representative Fitzwater
House Resolution No. 1689 - Representatives Gaw and Berkowitz, et al
House Resolution No. 1690 - Representative Gaw
House Resolution No. 1691

and

House Resolution No. 1692 - Representative Lawson, et al
House Resolution No. 1693

and

House Resolution No. 1694 - Representative Boucher

BILL CARRYING REQUEST MESSAGE

HCS SB 922, as amended, relating to retirement benefits, was taken up by Representative Hagan-Harrell.

Representative Hagan-Harrell moved that the House refuse to recede from its position on **HCS SB 922, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE CONCURRENT RESOLUTION

SCR 39, relating to printing of acts, was stricken from the calendar.

HCS SCR 37, relating to River Delta Authority, was taken up by Representative Williams (159).

Representative Williams (159) offered **HS HCS SCR 37**.

House Substitute
for
House Committee Substitute
for
Senate Concurrent Resolution No. 37

WHEREAS, the President of the United States has proposed the creation of a Delta Regional Authority; and

WHEREAS, the Delta Regional Authority would bring the resources of a Federal-State partnership to the region for economic growth and to provide the infrastructure and job training needed to make prosperity possible in the Delta; and

WHEREAS, the affected counties in Missouri desire to participate with the Delta Regional Authority in any policy development and programs for the Delta area:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninetieth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby authorize the creation of the "Missouri Commission on the Delta Regional Authority"; and

BE IT FURTHER RESOLVED that the Missouri Commission on the Delta Regional Authority shall make recommendations to the General Assembly regarding policy development, prioritization of funding based upon poverty, joblessness, lack of job availability, literacy rates and level of education, and programs and interstate compacts; and

BE IT FURTHER RESOLVED that the Missouri Commission on the Delta Regional Authority may accept general revenue and other funds as may be appropriated to it; and

BE IT FURTHER RESOLVED that the Missouri Commission on the Delta Regional Authority shall be composed of one county commissioner or designee from each of the following central counties designated by the Lower Mississippi Delta Commission of Scott, Mississippi, New Madrid, Pemiscot, Dunklin, Stoddard and Butler, one of Missouri's representatives on the board of the lower Mississippi delta development center appointed by the governor, one member of the public chosen to represent the interests of agriculture appointed by the governor, one member of the public to represent business and industry appointed by the governor, and one member of the public to represent

education appointed by the governor, two members of the house of representatives, appointed by the speaker of the house, who represent districts within the central county region designated by the Lower Mississippi Delta Development Commission, two members of the house of representatives, appointed by the speaker of the house, who represent districts within the affected area designated by the Lower Mississippi Delta Development Commission, one member of the senate, appointed by the president pro tem of the senate, who represents a district within the central county region designated by the Lower Mississippi Delta Development Commission, and the following ex officio members: the directors of the departments of economic development, transportation and agriculture, the director of the family investment trust, the commissioner of education, the commissioner of higher education, one member of the board of the Lower Mississippi River Delta Center; and

BE IT FURTHER RESOLVED that the department of economic development shall provide professional, legal and clerical staff for the Missouri Commission on the Delta Regional Authority; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Governor Mel Carnahan.

On motion of Representative Williams (159), **HS HCS SCR 37** was adopted.

On motion of Representative Williams (159), **HS HCS SCR 37** was read the third time and passed by the following vote:

AYES: 145

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Champion	Cierpiot	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkemeyer	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Skaggs	Smith	Summers
Surface	Thompson	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Ballard	Brooks	Burton	Chrismer	Crawford
Graham 24	Hartzler 124	Linton	Luetkenhaus	O'Toole
Relford	Sallee	Scheve	Shields	Stokan
Townley	Williams 121			

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL - INFORMAL

HCS SCS SB 894, relating to delinquent property tax, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SCS SB 894**.

Representative Williams (159) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 2, Section A, Line 17 of said page, by inserting after all of said line the following:

"32.105. As used in sections 32.100 to 32.125, the following terms mean:

(1) "Affordable housing assistance activities", money, real or personal property, or professional services expended or devoted to the construction, or rehabilitation of affordable housing units;

(2) "Affordable housing unit", a residential unit generally occupied by persons and families with incomes at or below the levels described in this subdivision and bearing a cost to the occupant no greater than thirty percent of the maximum eligible household income for the affordable housing unit. In the case of owner-occupied units, the cost to the occupant shall be considered the amount of the gross monthly mortgage payment, including casualty insurance, mortgage insurance, and taxes. In the case of rental units, the cost to the occupant shall be considered the amount of the gross rent. The cost to the occupant shall include the cost of any utilities, other than telephone. If any utilities are paid directly by the occupant, the maximum cost that may be paid by the occupant is to be reduced by a utility allowance prescribed by the commission. Persons or families are eligible occupants of affordable housing units if the household combined, adjusted gross income as defined by the commission is equal to or less than the following percentages of the median family income for the geographic area in which the residential unit is located, or the median family income for the state of Missouri, whichever is larger; ("geographic area" means the metropolitan area or county designated as an area by the federal Department of Housing and Urban Development under Section 8 of the United States Housing Act of 1937, as amended, for purposes of determining fair market rental rates):

	Percent of State or Geographic Area Family
Size of Household	Median Income
One Person	35%

Two Persons	40%
Three Persons	45%
Four Persons	50%
Five Persons	54%
Six Persons	58%
Seven Persons	62%
Eight Persons	66%

(3) "Business firm", person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state;

(4) "Commission", the Missouri housing development commission;

(5) "Community services", any type of counseling and advice, emergency assistance or medical care furnished to individuals or groups in the state of Missouri or transportation services at below-cost rates as provided in sections 208.250 to 208.275, RSMo;

(6) "Crime prevention", any activity which aids in the reduction of crime in the state of Missouri;

(7) "Defense industry contractor", a person, corporation or other entity which will be or has been negatively impacted as a result of its status as a prime contractor of the Department of Defense or as a second or third tier contractor. A "second tier contractor" means a person, corporation or other entity which contracts to perform manufacturing, maintenance or repair services for a prime contractor of the Department of Defense, and a "third tier contractor" means a person, corporation or other entity which contracts with a person, corporation or other entity which contracts with a prime contractor of the Department of Defense;

(8) "Doing business", among other methods of doing business in the state of Missouri, a partner in a firm or a shareholder in an S corporation shall be deemed to be doing business in the state of Missouri if such firm or S corporation, as the case may be, is doing business in the state of Missouri;

(9) "Economic development", the acquisition, renovation, improvement, or the furnishing or equipping of existing buildings and real estate in distressed or blighted areas of the state when such acquisition, renovation, improvement, or the furnishing or equipping of the business development projects will result in the creation or retention of jobs within the state; or, until June 30, 1996, a defense conversion pilot project located in a standard metropolitan statistical area which contains a city with a population of at least three hundred fifty thousand inhabitants, which will assist Missouri-based defense industry contractors in their conversion from predominately defense-related contracting to nondefense-oriented manufacturing. Only neighborhood organizations, as defined in subdivision (13) of this section, may apply to conduct economic development projects. Prior to the approval of an economic development project, the neighborhood organization shall enter into a contractual agreement with the department of economic development. Credits approved for economic development projects may not exceed four million dollars from within any one fiscal year's allocation. Neighborhood assistance program tax credits for economic development projects and affordable housing assistance as defined in section 32.111, may be transferred, sold or assigned by a notarized endorsement thereof naming the transferee;

(10) "Education", any type of scholastic instruction or scholarship assistance to an individual who resides in the state of Missouri that enables the individual to prepare himself or herself for better opportunities or community awareness activities rendered by a statewide organization established for the purpose of archeological education and preservation;

(11) "Eligible farmer's market", a group of farmers, each of whom farms agricultural land located within this state which he or she rents or owns, and who have formed a group for the purpose of allowing each member farmer to sell his or her products derived from his or her farming activities to the public at a common structure or building when at least fifty percent of the costs of such structure or building are paid for by such group of farmers;

(12) "Eligible new generation cooperative", as defined in section 348.340, RSMo;

[11] (13) "Homeless assistance pilot project", the program established pursuant to section 32.117;

[(12)] (14) "Job training", any type of instruction to an individual who resides in the state of Missouri that enables the individual to acquire vocational skills so that the individual can become employable or be able to seek a higher grade of employment;

[(13)] **(15)** "Neighborhood organization", any organization performing community services or economic development activities in the state of Missouri and:

(a) Holding a ruling from the Internal Revenue Service of the United States Department of the Treasury that the organization is exempt from income taxation pursuant to the provisions of the Internal Revenue Code; or

(b) Incorporated in the state of Missouri as a not for profit corporation pursuant to the provisions of chapter 355, RSMo; or

(c) Designated as a community development corporation by the United States government pursuant to the provisions of Title VII of the Economic Opportunity Act of 1964; or

(d) Contributing funds to help finance a building or structure or purchase equipment located within this state and used to sell agricultural food products or to add value to food products produced in this state by members of an eligible new generation food cooperative; or contributing funds to help finance a building or structure or purchase equipment owned by a not-for-profit organization located within this state and used to sell agricultural food products or to add value to food products produced by family farms as defined in subdivision (4) of section 350.010, RSMo, or family farm corporations as defined in subdivision (5) of section 350.010, RSMo;

[(14)] **(16)** "Physical revitalization", furnishing financial assistance, labor, material, or technical advice to aid in the physical improvement or rehabilitation of any part or all of a neighborhood area;

[(15)] **(17)** "S corporation", a corporation described in Section 1361(a)(1) of the United States Internal Revenue Code and not subject to the taxes imposed by section 143.071, RSMo, by reason of section 143.471, RSMo;

[(16)] **(18)** "Workfare renovation project", any project initiated pursuant to sections 215.340 to 215.355, RSMo.

32.110. Any business firm which engages in the activities of providing physical revitalization, economic development, job training or education for individuals, community services, **eligible farmers' markets** or crime prevention in the state of Missouri shall receive a tax credit as provided in section 32.115 if the director of the department of economic development annually approves the proposal of the business firm; except that, no proposal shall be approved which does not have the endorsement of the agency of local government within the area in which the business firm is engaging in such activities which has adopted an overall community or neighborhood development plan that the proposal is consistent with such plan. The proposal shall set forth the program to be conducted, the neighborhood area to be served, why the program is needed, the estimated amount to be contributed to the program and the plans for implementing the program. If, in the opinion of the director of the department of economic development, a business firm's contribution can more consistently with the purposes of sections 32.100 to 32.125 be made through contributions to a neighborhood organization as defined in subdivision (12) of section 32.105, tax credits may be allowed as provided in section 32.115. The director of the department of economic development is hereby authorized to promulgate rules and regulations for establishing criteria for evaluating such proposals by business firms for approval or disapproval and for establishing priorities for approval or disapproval of such proposals by business firms with the assistance and approval of the director of the department of revenue. The total amount of tax credit granted for programs approved pursuant to sections 32.100 to 32.125 shall not exceed fourteen million dollars in fiscal year 1999 and twenty-six million dollars in fiscal year 2000, and any subsequent fiscal year, except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117. All tax credits authorized pursuant to the provisions of sections 32.100 to 32.125 may be used as a state match to secure additional federal funding. **The total amount of tax credits allowed for programs of neighborhood organizations defined pursuant to paragraph (d) of subdivision (15) of section 32.105 is two and one-half million dollars per fiscal year for fiscal years 2002 to 2006.**"; and

Further amend said bill, Page 139, Section 260.210, Line 37 of said page, by inserting after all of said line the following:

"261.032. The director of the department of agriculture shall, for the use of the marketing division of the department of agriculture, develop and implement rules and regulations by product category for all Missouri agricultural products included in the AgriMissouri marketing program or any equivalent successor program. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28,

2000, shall be invalid and void.

261.037. 1. There is hereby created in the state treasury for the use of the marketing division of the state department of agriculture a fund to be known as "The Missouri Agricultural Products Marketing Development Fund". The general assembly shall appropriate to the fund from the general revenue fund one million three hundred thousand dollars for fiscal year 2002, one million dollars for fiscal year 2003 and seven hundred fifty thousand dollars for fiscal years 2004 to 2006. All moneys received by the state department of agriculture for Missouri agricultural products marketing development from any source, including trademark fees, shall be deposited in the fund. Moneys deposited in the fund shall, upon appropriation by the general assembly to the state department of agriculture, be expended by the marketing division of the state department of agriculture for purposes of Missouri agricultural products marketing development as specified in this section. The unexpended balance in the Missouri agricultural products marketing development fund at the end of the biennium shall not be transferred to the ordinary revenue fund of the state treasury and accordingly shall be exempt from the provisions of section 33.080, RSMo, relating to transfer of funds to the ordinary revenue funds of the state by the state treasurer.

2. There is hereby created within the department of agriculture the "Citizens' Advisory Commission for Marketing Missouri Agricultural Products". The commission shall establish guidelines for the spending by the marketing division of the department of agriculture of all moneys in the Missouri agricultural products marketing development fund created pursuant to subsection 1 of this section. The guidelines shall focus on the promotion of the AgriMissouri or successor trademark associated with Missouri agricultural products which has been approved by the general assembly, and shall advance the following objectives:

- (1) Increasing the impact and fostering the effectiveness of local efforts to promote Missouri agricultural products;
- (2) Enabling and encouraging expanded advertising efforts for Missouri agricultural products;
- (3) Encouraging effective, high-quality advertising projects, innovative marketing strategies, and the coordination of local, regional and statewide marketing efforts;
- (4) Providing training and technical assistance to cooperative-marketing partners.

The commission shall establish a fee structure for sellers electing to use the AgriMissouri or successor trademark associated with Missouri agricultural products. Under the fee structure: (1) A seller having gross annual sales greater than two million dollars per fiscal year of Missouri agricultural products which constitute the final product of a series of processes or activities shall remit to the marketing division of the department of agriculture, at such times and in such manner as may be prescribed, a trademark fee of one-half of one percent of the aggregate amount of all of such seller's wholesale sales of products carrying the AgriMissouri or successor trademark; and (2) All sellers having gross annual sales less than or equal to two million dollars per fiscal year of Missouri agricultural products which constitute the final product of a series of processes or activities shall, after three years of selling Missouri agricultural products carrying the AgriMissouri or successor trademark, shall remit to the marketing division of the department of agriculture, at such times and in such manner as may be prescribed, a trademark fee of one-half of one percent of the aggregate amount of all of such seller's wholesale sales of products carrying the AgriMissouri or successor trademark. All trademark fees shall be deposited to the credit of the Missouri agricultural products marketing development fund, created pursuant to section 261.037. The commission may also create two additional trademark labels to be associated with Missouri agricultural products which are certified organic products and certified family farm produced products.

3. The marketing division of the department of agriculture is authorized to promote rules consistent with the guidelines and fee structure established by the commission. No rule or portion of a rule shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

4. The commission shall consist of nine members appointed by the governor with the advice and consent of the senate. One member shall be the director of the market development division of the department of agriculture. At least one member shall be a specialist in advertising; at least one member shall be a specialist in agribusiness; at least one member shall be a specialist in the retail grocery business; at least one member shall be a specialist in communications; at least one member shall be a specialist in product distribution; at least one member shall be a family farmer with expertise in livestock farming; at least one member shall be a family farmer with expertise in grain farming and at least one member shall be a family farmer with expertise in organic farming. Members shall serve for four-year terms, except in the first appointments three members shall be appointed for terms of four years, three members shall be appointed for terms of three years and three

members shall be appointed for terms of two years each. Any member appointed to fill a vacancy of an unexpired term shall be appointed for the remainder of the term of the member causing the vacancy. The governor shall appoint a chairperson of the commission, subject to ratification by the commission.

5. Commission members shall receive no compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties on the commission. The division of market development of the department of agriculture shall provide all necessary staff and support services as required by the commission to hold commission meetings, to maintain records of official acts and to conduct all other business of the commission. The commission shall meet quarterly and at any such time that it deems necessary. Meetings may be called by the chairperson or by a petition signed by a majority of the members of the commission. Ten days notice shall be given in writing to such members prior to the meeting date. A simple majority of the members of the commission shall be present to constitute a quorum. Proxy voting shall not be permitted.

261.038. The marketing division of the department of agriculture shall create an Internet web site for the purpose of fostering the marketing of Missouri agricultural products over the Internet. The web site shall allow consumers to place orders for Missouri agricultural products over the Internet and shall enable small companies which process Missouri agricultural products to pool products with other such small companies.

261.110. 1. The department of agriculture shall develop standards and labeling for organic farming.

2. The department of agriculture shall adopt rules to implement the provisions of this section.

3. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Williams (159), **House Amendment No. 1** was adopted.

Representative Smith offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 159, Section C, Line 39 of said page, by inserting after all of said line the following:

"Section D. Sections 381.011, 381.021, 381.041, 381.051, 381.061, 381.081, 381.091, 381.101, 381.111, 381.121, 381.131, 381.141, 381.151, 381.161, 381.171, 381.181, 381.191, 381.201, 381.211, 381.221 and 381.241, RSMo 1994, and sections 381.031 and 381.231, RSMo Supp. 1999, are repealed and thirty-seven new sections enacted in lieu thereof, to be known as sections 381.003, 381.009, 381.015, 381.018, 381.022, 381.025, 381.028, 381.032, 381.035, 381.038, 381.042, 381.045, 381.048, 381.052, 381.055, 381.058, 381.062, 381.065, 381.068, 381.072, 381.075, 381.078, 381.085, 381.088, 381.092, 381.095, 381.098, 381.102, 381.105, 381.108, 381.112, 381.115, 381.118, 381.122, 381.125, 381.410 and 381.412, to read as follows:

381.003. 1. Sections 381.003 to 381.125 shall be known and may be cited as the "Missouri Title Insurance Act".

2. Sections 381.009 to 381.048 shall apply to all persons engaged in the business of title insurance in this state. Sections 381.052 to 381.112 shall apply to all title insurers engaged in the business of title insurance in this state. Sections 381.115 to 381.125 shall apply to all title agencies engaged in the business of title insurance in this state.

3. Except as otherwise expressly provided in this chapter and except where the context otherwise requires, all provisions of the insurance code applying to insurance and insurance companies generally shall apply to title insurance, title insurers and title agents.

381.009. As used in this chapter, the following terms mean:

(1) "Abstract of title" or "abstract", a written history, synopsis or summary of the recorded instruments affecting the title to real property;

(2) "Affiliate", a specific person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified;

(3) "Affiliated business", any portion of a title insurance agency's business written in this state that was referred to it by a producer of title insurance business or by an associate of the producer, where the producer or associate, or both, have a financial interest in the title agency;

(4) "Associate", any:

(a) Business organized for profit in which a producer of title business is a director, officer, partner, employee or an owner of a financial interest;

(b) Employee of a producer of title business;

(c) Franchisor or franchisee of a producer of title business;

(d) Spouse, parent or child of a producer of title insurance business who is a natural person;

(e) Person, other than a natural person, that controls, is controlled by, or is under common control with, a producer of title business;

(f) Person with whom a producer of title insurance business or any associate of the producer has an agreement, arrangement or understanding, or pursues a course of conduct, the purpose or effect of which is to provide financial benefits to that producer or associate for the referral of business;

(5) "Bona fide employee of the title insurer", an individual who devotes substantially all of his or her time to performing services on behalf of a title insurer and whose compensation for those services is in the form of salary or its equivalent paid by the title insurer;

(6) "Control", including the terms "controlling", "controlled by" and "under common control with", the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise, unless the power is the result of an official position or corporate office held by the person. Control shall be presumed to exist if a person, directly or indirectly, owns, controls, holds with the power to vote or holds proxies representing ten percent or more of the voting securities of another person. This presumption may be rebutted by showing that control does not exist in fact. The director may determine, after furnishing all persons in interest notice and opportunity to be heard and making specific findings of fact to support the determination, that control exists in fact, notwithstanding the absence of a presumption to that effect;

(7) "County" or "counties" includes any city not within a county;

(8) "Direct operations", that portion of a title insurer's operations which are attributable to business written by a bona fide employee;

(9) "Director", the director of the department of insurance, or the director's representatives;

(10) "Escrow", written instruments, money or other items deposited by one party with a depository, escrow agent or escrowee for delivery to another party upon the performance of a specified condition or the happening of a certain event;

(11) "Escrow, settlement or closing fee", the consideration for supervising or handling the actual execution, delivery or recording of transfer and lien documents and for disbursing funds;

(12) "Financial interest", a direct or indirect legal or beneficial interest, where the holder is or will be entitled to five percent or more of the net profits or net worth of the entity in which the interest is held;

(13) "Foreign title insurer", any title insurer incorporated or organized pursuant to the laws of any other state of the United States, the District of Columbia, or any other jurisdiction of the United States;

(14) "Geographically indexed or retrievable", a system of keeping recorded documents which includes as a component a method for discovery of the documents by:

(a) Searching an index arranged according to the description of the affected land; or

(b) An electronic search by description of the affected land;

(15) "Net retained liability", the total liability retained by a title insurer for a single risk, after taking into account any ceded liability and collateral, acceptable to the director, and maintained by the insurer;

(16) "Non-U.S. title insurer", any title insurer incorporated or organized pursuant to the laws of any foreign nation or any province or territory;

(17) "Premium", the consideration paid by or on behalf of the insured for the issuance of a title insurance policy or any endorsement or special coverage. It does not include consideration paid for settlement or escrow services or noninsurance-related information services;

(18) "Producer", any person, including any officer, director or owner of five percent or more of the equity or capital of any person, engaged in this state in the trade, business, occupation or profession of:

(a) Buying or selling interests in real property;

- (b) Making loans secured by interests in real property; or
- (c) Acting as broker, agent, representative or attorney of a person who buys or sells any interest in real property or who lends or borrows money with the interest as security;
- (19) "Qualified depository institution", an institution that is:
 - (a) Organized or, in the case of a United States branch or agency office of a foreign banking organization, licensed pursuant to the laws of the United States or any state and has been granted authority to operate with fiduciary powers;
 - (b) Regulated, supervised and examined by federal or state authorities having regulatory authority over banks and trust companies;
 - (c) Insured by the appropriate federal entity; and
 - (d) Qualified under any additional rules established by the director;
- (20) "Referral", the directing or the exercising of any power or influence over the direction of title insurance business, whether or not the consent or approval of any other person is sought or obtained with respect to the referral;
- (21) "Search", "search of the public records" or "search of title", a search of those records established by the laws of this state for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge;
- (22) "Security" or "security deposit", funds or other property received by the title insurer as collateral to secure an indemnitor's obligation under an indemnity agreement pursuant to which the insurer is granted a perfected security interest in the collateral in exchange for agreeing to provide coverage in a title insurance policy for a specific title exception to coverage;
- (23) "Subsidiary", an affiliate controlled by a person directly or indirectly through one or more intermediaries;
- (24) "Title agency" means an authorized person who issues title insurance on behalf of a title insurer. An attorney licensed to practice law in this state who issues title insurance as a part of his or her law practice, but does not maintain or operate a title insurance business separate from such law practice is not a title agency;
- (25) "Title agent" or "agent", an attorney licensed to practice law in this state who issues title insurance as part of his or her law practice, but who is not affiliated with or acting on behalf of a title agency, or an authorized person who, on behalf of a title agency or on behalf of a title agent not affiliated with a title agency, performs one or more of the following acts in conjunction with the issuance of a title insurance commitment or policy:
 - (a) Determines insurability, based upon a review of a search of title;
 - (b) Performs searches;
 - (c) Handles escrows, settlements or closings; or
 - (d) Solicits or negotiates title insurance business;
- (26) "Title insurance business" or "business of title insurance":
 - (a) Issuing as insurer or offering to issue as insurer a title insurance policy;
 - (b) Transacting or proposing to transact by a title insurer any of the following activities when conducted or performed in contemplation of and in conjunction with the issuance of a title insurance policy:
 - a. Soliciting or negotiating the issuance of a title insurance policy;
 - b. Guaranteeing, warranting or otherwise insuring the correctness of title searches for all instruments affecting titles to real property, any interest in real property, cooperative units and proprietary leases and for all liens or charges affecting the same;
 - c. Handling of escrows, settlements or closings;
 - d. Executing title insurance policies;
 - e. Effecting contracts of reinsurance; or
 - f. Abstracting, searching or examining titles;
 - (c) Guaranteeing, warranting or insuring searches or examinations of title to real property or any interest in real property;
 - (d) Guaranteeing or warranting the status of title as to ownership of or liens on real property by any person other than the principals to the transaction;
 - (e) Promising to purchase or repurchase for consideration an indebtedness because of a title defect, whether or not involving a transfer of risk to a third person; or
 - (f) Promising to indemnify the holder of a mortgage or deed of trust against loss from the failure of the

borrower to pay the mortgage or deed of trust when due if the property fails to yield sufficient proceeds upon foreclosure to satisfy the debt, when one or both of the following conditions exist:

a. The security has been impaired by the discovery of a previously unknown property interest in favor of one who is not liable for the payment of the mortgage or deed of trust; or

b. Perfection of the position of the mortgage or deed of trust which was assured to exist cannot be obtained, notwithstanding timely recordation with the recorder of deeds of the county in which the property is located; or

(g) Doing or proposing to do any business substantially equivalent to any of the activities listed in this subdivision in a manner designed to evade the provisions of this chapter;

(27) "Title insurance commitment" or "commitment", a preliminary report, commitment or binder issued prior to the issuance of a title insurance policy containing the terms, conditions, exceptions and other matters incorporated by reference under which the title insurer is willing to issue its title insurance policy. A title insurance commitment is not an abstract of title;

(28) "Title insurance policy" or "policy", a contract insuring or indemnifying owners of, or other persons lawfully interested in, real property or any interest in real property, against loss or damage arising from any or all of the following conditions existing on or before the policy date and not excepted or excluded:

- (a) Title to the estate or interest in land being otherwise than as stated in the policy;
- (b) Defects in or liens or encumbrances on the insured title;
- (c) Unmarketability of the insured title;
- (d) Lack of legal right of access to the land;
- (e) Invalidity or unenforceability of the lien of an insured mortgage;
- (f) The priority of a lien or encumbrance over the lien of any insured mortgage;
- (g) The lack of priority of the lien of an insured mortgage over a statutory lien for services, labor or material;

(h) The invalidity or unenforceability of an assignment of the insured mortgage; or

(i) Rights or claims relating to the use of or title to the land;

(29) "Title insurer" or "insurer", a company organized pursuant to laws of this state for the purpose of transacting the business of title insurance and any foreign or non-U.S. title insurer licensed in this state to transact the business of title insurance;

(30) "Title plant", a set of records encompassing at least the most recent forty-five years, consisting of documents, maps, surveys or entries affecting title to real property or any interest in or encumbrance on the property, which have been filed or recorded in the jurisdiction for which the title plant is established or maintained. The records in the title plant shall be geographically indexed or retrievable as to those records containing a legal description of affected land, and otherwise by name of affected person;

(31) "Underwrite", the authority to accept or reject risk on behalf of the title insurer.

[381.011. 1. Sections 381.011 to 381.241 shall be known and may be cited as the "Missouri Title Insurance Act".

2. The purpose of sections 381.011 to 381.241 is to provide the state of Missouri with a comprehensive body of law for the effective regulation and supervision of title insurance business transacted within this state in response to the McCarran-Ferguson Act, Sections 1011-1015, Title 15, United States Code.]

381.015. 1. When a title insurance commitment issued by a title insurer, title agency or title agent includes an offer to issue an owner's policy covering the resale of owner-occupied residential property, the commitment shall incorporate the following statement in bold type:

"Please read the exceptions and the terms shown or referred to herein carefully. The exceptions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered."

2. A title insurer, title agency or title agent issuing a lender's title insurance policy in conjunction with a mortgage loan made simultaneously with the purchase of all or part of the real estate securing the loan, where no owner's title insurance policy has been requested, shall give written notice, on a form prescribed or approved by the director, to the purchaser-mortgagor at the time the commitment is prepared. The notice shall explain that a lender's title insurance policy is to be issued protecting the mortgage-lender, and that the policy does not provide title insurance protection to the purchaser-mortgagor as the owner of the property being purchased. The notice shall explain what a title policy insures against and what possible exposures exist for the purchaser-mortgagor that could be insured against through the purchase of an owner's policy. The notice shall also explain

that the purchaser-mortgagor may obtain an owner's title insurance policy protecting the property owner at a specified cost or approximate cost, if the proposed coverages are or amount of insurance is not then known. A copy of the notice, signed by the purchaser-mortgagor, shall be retained in the relevant underwriting file at least fifteen years after the effective date of the policy.

3. Each violation of any provision of this section is a class C violation as that term is defined in section 381.045.

381.018. 1. The title insurer shall not allow the issuance of its commitments or policies by a title agency or title agent not affiliated with a title agency unless there is in force a written contract between the parties which sets forth the responsibilities of each party or, where both parties share responsibility for particular functions, specifies the division of responsibilities.

2. For each title agency or title agent not affiliated with a title agency under contract with the insurer, the title insurer shall have on file a statement of financial condition, of each title agency or title agent as of the end of the previous calendar or fiscal year setting forth an income statement of business done during the preceding year and a balance sheet showing the condition of its affairs as of the close of the prior year, certified by the agency or agent as being a true and accurate representation of the agency's or agent's financial condition. The statement shall be filed with the insurer no later than the date the agency's or agent's federal income tax return for the same year is filed. Attorneys actively engaged in the practice of law, in addition to that related to title insurance business, are exempt from the requirements of this subsection.

3. The title insurer shall conduct reviews of the underwriting, claims and escrow practices of its agencies and agents which shall include a review of the agency's or agent's policy blank inventory and processing operations. If any such title agency or title agent does not maintain separate bank or trust accounts for each title insurer it represents, the title insurer shall verify that the funds held on its behalf are reasonably ascertainable from the books of account and records of the title agency or title agent not affiliated with a title agency. The title insurer shall conduct a review of each of its agencies and agents at least triennially commencing January first of the year first following the effective date of sections 381.003 to 381.125.

4. Within thirty days of executing or terminating a contract with a title agency or title agent not affiliated with a title agency, the insurer shall provide notification of the appointment or termination and the reason for termination to the director. Notices of appointment of a title agency or title agent shall be made on a form promulgated by the director.

5. The title insurer shall maintain an inventory of all policy numbers allocated to each title agency or title agent not affiliated with a title agency.

6. The title insurer shall have on file proof that the title agency or title agent is licensed by this state.

7. The title insurer shall establish the underwriting guidelines and, where applicable, limitations on title claims settlement authority to be incorporated into contracts with its title agencies and title agents not affiliated with a title agency.

8. Each violation of any provision of this section is a class B violation as that term is defined in section 381.045.

[381.021. 1. Sections 381.011 to 381.241 shall apply to all persons engaged in the business of title insurance in this state.

2. Except as otherwise expressly provided in sections 381.011 to 381.241, and except where the context otherwise requires, all provisions of the insurance laws of this state applying to insurance and insurance companies generally shall apply to title insurance and title insurance companies. No law of this state enacted after September 28, 1987, that is inconsistent with the provisions of such sections shall be applicable to the business of title insurance unless such law specifically states that it is to be applicable to the business of title insurance.

3. Nothing in sections 381.011 to 381.241 shall be construed to authorize the practice of law by any person who is not duly admitted to practice law in this state nor shall it be construed to authorize the director to regulate the practice of law or the sale of real estate.]

381.022. 1. A title insurer, title agency or title agent not affiliated with a title agency may operate as an escrow, security, settlement or closing agent, provided that:

(1) All funds deposited with the title insurer, title agency or title agent not affiliated with a title agency in connection with any escrow, settlement, closing or security deposit shall be submitted for collection to or deposited in a separate fiduciary trust account or accounts in a qualified depository institution no later than the close of the next business day after receipt, in accordance with the following requirements:

(a) The funds shall be the property of the person or persons entitled to them under the provisions of the

escrow, settlement, security deposit or closing agreement and shall be segregated for each depository by escrow, settlement, security deposit or closing in the records of the title insurer, title agency or title agent not affiliated with a title agency, in a manner that permits the funds to be identified on an individual basis and in accordance with the terms of the individual instructions or agreements under which the funds were accepted; and

(b) The funds shall be applied only in accordance with the terms of the individual instructions or agreements under which the funds were accepted;

(2) Funds held in an escrow account shall be disbursed only pursuant to a written instruction or agreement specifying under what conditions and to whom such funds may be disbursed or pursuant to an order of a court of competent jurisdiction;

(3) Funds held in a security deposit account shall be disbursed only pursuant to a written agreement specifying:

(a) What actions the indemnitor shall take to satisfy his or her obligation under the agreement;

(b) The duties of the title insurer, title agency or title agent not affiliated with a title agency with respect to disposition of the funds held, including a requirement to maintain evidence of the disposition of the title exception before any balance may be paid over to the depositing party or his or her designee; and

(c) Any other provisions the director may require;

(4) Any interest received on funds deposited in connection with any escrow, settlement, security deposit or closing may be retained by the title insurer, title agency or title agent not affiliated with a title agency as compensation for administration of the escrow or security deposit, unless the instructions for the funds or a governing statute provides otherwise;

(5) Each violation of this subsection is a class A violation as that term is defined in section 381.045.

2. The title agency or title agent not affiliated with an agency shall cooperate with its underwriters in the conduct by the underwriters of reviews of the agency's or agent's escrow, settlement, closing and security deposit accounts. The title insurer shall provide a copy of the report of each such review it performs to the director. The director may promulgate rules setting forth the minimum threshold level at which a review would be required, the standards thereof and the form of report required.

3. If the title agency or title agent not affiliated with an agency is appointed by two or more title insurers and maintains fiduciary trust accounts in connection with providing escrow or closing settlement services, the title agency or title agent shall allow each title insurer reasonable access to the accounts and any or all of the supporting account information in order to ascertain the safety and security of the funds held by the title agency or title agent.

4. (1) Nothing in this chapter shall be deemed to prohibit the recording of documents prior to the time funds are available for disbursement with respect to a transaction in which a title insurer, title agency or title agent not affiliated with a title agency is the settlement agent, provided all parties to whom payment will become due upon such recording consent thereto in writing;

(2) The settlement agent shall record all deeds and security instruments for real estate closings handled by it within three business days after completion of all conditions precedent thereto;

(3) Each violation of this subsection is a class C violation as that term is defined in section 381.045.

381.025. 1. A title insurer, title agency, title agent or other person shall not give or receive, directly or indirectly, any consideration for the referral of title insurance business or escrow or other service provided by a title insurer, title agency or title agent. Each violation of this subsection is a class A violation as that term is defined in section 381.045.

2. Any title insurer, title agency or title agent doing business in the same county as a title insurer, title agency or title agent who may be in violation of the prohibitions or limitations of this section shall have standing to seek injunctive relief against the violating title insurer, title agency or title agent in the event the department declines or fails to enforce this section within forty-five days following receipt of written notice of such violation. In any action pursuant to this subsection, the court may award to the successful party the court costs of the action together with reasonable attorney fees.

381.028. No title insurer, title agency or title agent shall participate in any transaction in which it knows that a producer or other person requires, directly or indirectly, or through any trustee, director, officer, agent, employee or affiliate, as a condition, agreement or understanding to selling or furnishing any other person a loan, or loan extension, credit, sale, property, contract, lease or service, that the other person shall place a title insurance policy of any kind with the title insurer or through a particular title agency or agent. Each violation of this section is a class A violation as that term is defined in section 381.045.

[381.031. As used in sections 381.011 to 381.241, the following terms mean:

(1) "Alien title insurer", any title insurer incorporated or organized under the laws of any foreign nation or any province or territory thereof;

(2) "Applicant", a person, whether or not a prospective insured, who applies to a title insurer or title agent, or agency for a title insurance policy and who, at the time of the application, is not a title agent or agency;

(3) "Approved attorney", an attorney at law who is not an agent or employee of a title insurer, and whose certification as to status of title a title insurer is willing to accept as the basis for issuance of its title insurance policy;

(4) "Charge", any fee billed by a title agent, agency, or title insurer for the performance of services other than fees that fall within the definition of premium in this section. "Charge" includes, but is not limited to, fees for document preparation, fees for the handling of escrows, settlements, or closing, and fees for services commenced but not completed. "Charge" does not include fees collected by a title insurer, title agency, or title agent in an escrow, settlement or closing when the fees are limited to the amount billed for services rendered by an entity independent of the title insurer, title agent, or agency;

(5) "Controlled business", any portion of a title insurer's, title agency's or title agent's business of title insurance in this state, referred to it by any producer of title business or by any associate of such producer, where the producer of title business, the associate, or both, have a financial interest in the title insurer, title agency, or title agent to which business is referred;

(6) "Director", the director of the department of insurance;

(7) "Domestic title insurer", a title insurer organized under the laws of this state;

(8) "Escrow, settlement or closing fee", the consideration for supervising the actual execution, delivery or recording of transfer and lien documents and for disbursing funds;

(9) "Financial interest", any interest, legal or beneficial, that entitles the holder directly or indirectly to one percent or more of the net profits or net worth of the entity in which the interest is held, but does not include payments of principal or interest made to a mortgage holder of the title agency;

(10) "Foreign title insurer", any title insurer organized under the laws of any other state of the United States, the District of Columbia, or any other jurisdiction of the United States;

(11) "Gross operating revenue", all amounts received by a title insurer, title agency, or title agent from premiums and charges;

(12) "Net retained liability", the total liability retained by a title insurer for a single risk, after taking into account the deduction for ceded reinsured liability, if any;

(13) "Person", any natural person, partnership, association, cooperative, corporation, trust, or other legal entity;

(14) "Premium", risk rates charged to the insured;

(15) "Producer of title business" or "producer", any person, including any officer, director, or owner of five percent or more of the equity or capital of any person, engaged in this state in the trade, business, occupation or profession of:

(a) Buying or selling interests in real property;

(b) Making loans secured by interests in real property; or

(c) Acting as broker, agent, representative or attorney of a person who buys or sells any interest in real property or who lends or borrows money with such interest as security;

(16) "Single risk", the insured amount of any title insurance policy, except that where two or more title insurance policies are issued simultaneously covering different estates in the same real property, "single risk" means the sum of the insured amounts of all such title insurance policies. Any title insurance policy insuring a mortgage interest, a payment under which reduces the insured amount of a fee or leasehold title insurance policy, shall be excluded in computing the amount of a single risk to the extent that the insured amount of the mortgagee title insurance policy does not exceed the insured amount of the fee or leasehold title insurance policy;

(17) "Title agent" or "title insurance agent", any authorized agent of a title insurer or representative of the title agent or agency, who acts as a title agent in the solicitation of, negotiation for, or procurement or making of any title insurance contract. The following persons are not title agents or title insurance agents:

(a) Approved attorneys;

(b) Salaried officers or employees of title insurers, title agents or title insurance agencies who do not do any of the following:

a. Establish premiums for policies of title insurance;

b. Determine insurability; or

c. Issue commitments, policies or other contracts of title insurance;

(18) "Title insurance agency" or "agency", any individual transacting or doing business under any name other than his true name, any partnership, unincorporated association or corporation, transacting or doing business with the public or title insurance companies as a title insurance agent;

(19) "Title insurance business" or "business of title insurance" means:

(a) Issuing as insurer or offering to issue as insurer a title insurance policy;

(b) Transacting or proposing to transact by a title insurer, title agency, or title agent any of the following activities when conducted or performed by a title agent, title agency, or title insurer in conjunction with the issuance of its title insurance:

- a. Soliciting or negotiating the issuance of a title insurance policy;
- b. Guaranteeing, warranting, or otherwise insuring the correctness of title searches;
- c. Handling of escrows, settlements, or closings;
- d. Execution of title insurance policies, reports, commitments, binders, and endorsements;
- e. Effecting contracts of reinsurance; or
- f. Abstracting, searching, or examining titles;

(c) Transacting by a title insurer, title agent, or agency of matters subsequent to the issuance of a title insurance policy and arising out of it; or

(d) Doing or proposing to do any business in substance equivalent to any of the foregoing in order to evade any provision of this act;

(20) "Title insurance policy" or "policy", a contract insuring or indemnifying against loss or damage arising from any or all of the following:

- (a) Defects in or liens or encumbrances on the insured title;
- (b) Unmarketability of the insured title; or
- (c) Invalidity or unenforceability of liens or encumbrances on the stated property.

"Title insurance policy" does not include a preliminary report, binder, commitment, or abstract;

(21) "Title insurer", a company organized under laws of this state for the purpose of transacting as insurer the business of title insurance and any foreign or alien title insurer engaged in this state in the business of title insurance as insurer;

(22) "Title plant", an index of the records of a county which imparts constructive notice to purchasers of real property, which encompasses at least the most recent forty-five years. The index shall be kept geographically as to those records containing a legal description of affected land, and otherwise by name of affected person.]

381.032. 1. No title insurer, may charge any rates regulated by the state after the effective date of sections 381.003 to 381.125, except in accordance with the premium rate schedule and manual filed with and approved by the director in accordance with applicable statutes and regulations governing rate filings. Premium rate schedules in effect prior to the effective date of sections 381.003 to 381.125 may be used until new rate schedules have been approved by the director. Title insurers shall file their premium rate schedules within thirty days after the effective date of sections 381.003 to 381.125. Each violation of this subsection is a class C violation as that term is defined in section 381.045. Nothing in this section shall prevent an agent not affiliated with an agency from charging for services that constitute the practice of law at the customary fee charged by such person for legal services. To the extent the premium fails to compensate the agent at such rate, the agent may render an additional bill for such services on behalf of the agent's law practice or law firm. The acceptance of any part of the premium by the law firm of said agent shall not be a violation of any provision of the Missouri Title Insurance Act or the general insurance statutes, regulations or bulletins regarding payment of commissions to nonlicensed entities.

2. The director may establish rules, including rules providing statistical plans, for use by all title insurers, title agencies and title agents in the recording and reporting of revenue, loss and expense experience in such form and detail as is necessary to aid the director in the establishment of rates and fees.

3. The director may require that the information provided pursuant to this section be verified by oath of the insurer's or agency's president or vice president or secretary or actuary, as applicable. The director may further require that the information required pursuant to this section be subject to an audit conducted at the expense of the title insurer or title agency by an independent certified public accountant. The director shall have the authority to establish a minimum threshold level at which an audit would be required.

4. Information filed with the director relating to the experience of a particular agency shall be kept confidential unless the director finds it in the public interest to disclose the information required of title insurers or title agencies pursuant to this section. Prior to any such disclosure of confidential information, the director

shall provide notice and opportunity to be heard to the title insurers and title agencies who would be affected thereby.

381.035. No title insurance company, title agency or title agent shall willfully withhold information from, or knowingly give false or misleading information to the director, or to any title insurance rating organization, of which the title insurance company is a member or subscriber, which will affect the rates or fees chargeable pursuant to this chapter. Each violation of this section is a class A violation as that term is defined in section 381.045.

381.038. 1. Evidence of the examination of title and determination of insurability generated by a title insurer engaged in direct operations, title agency or title agent shall be preserved and maintained by such insurer, agency or agent for as long as appropriate to the circumstances but, in no event less than fifteen years after the title insurance policy has been issued.

2. Records relating to escrow and security deposits shall be preserved and retained by a title insurer engaged in direct operations, title agency and title agent for as long as appropriate to the circumstances but, in no event less than five years after the escrow or security deposit account has been closed.

3. This section shall not apply to a title insurer acting as coinsurer if one of the other coinsurers has complied with this section.

4. Each violation of any provision of this section is a class C violation as that term is defined in section 381.045.

[381.041. **1.** No person other than a domestic, foreign, or alien title insurer organized on the stock plan and duly licensed by the director shall transact title insurance business as an insurer in this state.

2. Each title insurer may engage in the title insurance business in this state if licensed to do so by the director and provide any other service related or incidental to the sale and transfer or financing of property.

3. A title insurer shall maintain a minimum paid-in capital of not less than four hundred thousand dollars and, in addition, paid-in initial surplus of at least four hundred thousand dollars.]

381.042. 1. The director may issue rules, regulations and orders necessary to carry out the provisions of this chapter.

2. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

381.045. 1. If the director determines that the title insurer or any other person has violated this chapter, or any regulation or order promulgated thereunder, after notice and opportunity to be heard, the director may order:

(1) For each violation a monetary penalty which shall take into account the harm the violation caused or could have caused or potential harm to the public and which shall not exceed:

- (a) One thousand dollars per violation for a class A violation;
 - (b) Five hundred dollars per violation for a class B violation; and
 - (c) One hundred dollars per violation for a class C violation;
- (2) Revocation or suspension of the title insurer's license; or
- (3) Both monetary penalty and revocation or suspension.

2. Nothing contained in this section shall affect the right of the director to impose any other penalties provided for in the insurance code.

3. Nothing contained in this chapter is intended to or shall in any other manner limit or restrict the rights of policyholders, claimants and creditors.

381.048. The director may bring an action in a court of competent jurisdiction to enjoin violations of the Real Estate Settlement Procedures Act, 12 U.S.C. Section 2607, as amended.

[381.051. **1.** A title insurer, before issuing any title insurance policy covering property located in this state, shall deposit with the director of the department of insurance, hereinafter referred to as the director, a sum of four hundred thousand dollars, which shall be held for the security and protection of the holders or beneficiaries under its title insurance policies.

2. Assets deposited pursuant to this section may, with the approval of the director, be exchanged from time to time for other assets that qualify under subsection 3 of this section.

3. The depositing title insurer shall receive the income, interests, and dividends on any assets deposited. The deposit required under this section may be made in legal tender or in investments now or hereafter permitted to domestic life insurers with regard to their capital, reserve and surplus. For capital and reserve deposits, sums deposited pursuant to this section shall be valued at their market value.

4. A title insurer that has deposited assets pursuant to this section may, with the approval of the director, withdraw any part of the assets so deposited. If any such title insurer continues to engage in the business of title insurance, it shall not be permitted to withdraw assets that would reduce the amount of its deposits below the amount required by subsection 1 of this section.

5. In lieu of such a deposit maintained in this state, the director shall accept a certificate or certificates in proper form of the public officer or officers having general supervision of title insurers in its state of domicile to the effect that a deposit or total deposits, in an equal or greater amount, in classes of investment authorized in such state, are being maintained for like purposes in public custody or control pursuant to the laws of such state on behalf of the title insurer.

6. If sections 381.011 to 381.241 require a greater amount of capital and surplus or deposits than that required of a title insurer prior to September 28, 1987, such title insurer shall have three years after September 28, 1987, to comply with any such increased requirement.

7. The provisions of sections 375.950 to 375.990, RSMo, shall apply to the impairment of capital, liquidation, and rehabilitation of title insurers.]

381.052. No person other than a domestic, foreign or non-U.S. title insurer organized on the stock plan and duly licensed by the director shall transact title insurance business as an insurer in this state.

381.055. Subject to the exceptions and restrictions contained in this chapter, a title insurer shall have the power to:

- (1) Do only title insurance business;
- (2) Reinsure title insurance policies; and
- (3) Perform ancillary activities, unless prohibited by the director, including examining titles to real property and any interest in real property and procuring and furnishing related information and information about relevant personal property, when not in contemplation of, or in conjunction with, the issuance of a title insurance policy.

381.058. 1. No insurer that transacts any class, type or kind of business other than title insurance shall be eligible for the issuance or renewal of a license to transact the business of title insurance in this state nor shall title insurance be transacted, underwritten or issued by any insurer transacting or licensed to transact any other class, type or kind of business.

2. A title insurer shall not engage in the business of guaranteeing payment of the principal or the interest of bonds or mortgages.

3. (1) Notwithstanding subsection 1 of this section, and to the extent such coverage is lawful within this state, a title insurer is expressly authorized to issue closing or settlement protection to a proposed insured upon request if the title insurer issues a commitment, binder or title insurance policy. Such closing or settlement protection shall conform to the terms of coverage and form of instrument as required by the director and may indemnify a proposed insured solely against loss of settlement funds only because of the following acts of a title insurer's named title agency or title agent:

- (a) Theft of settlement funds; and
- (b) Failure to comply with written closing instructions by the proposed insured when agreed to by the title agency or title agent relating to title insurance coverage;
- (2) The director may promulgate or approve a required charge for providing the coverage;
- (3) A title insurer shall not provide any other coverage which purports to indemnify against improper acts or omissions of a person with regard to escrow, settlement, or closing services.

[381.061. 1. The net retained liability of a title insurer for a single risk on property located in this state, whether assumed directly or as reinsurance, may not exceed fifty percent of the sum of its total surplus to policyholders and unearned premium reserve, less the admitted asset value assigned to title plants, as shown in the most recent annual statement of the title insurer on file in the office of the director.

2. The director may waive the limitation of this section for a particular risk upon application of the title insurer and for good cause shown.]

381.062. Before being licensed to do an insurance business in this state, a title insurer shall establish and maintain a minimum paid-in capital of not less than four hundred thousand dollars and, in addition, paid-in initial surplus of at least four hundred thousand dollars.

381.065. 1. The net retained liability of a title insurer for a single risk in regard to property located in this state, whether assumed directly or as reinsurance, shall not exceed the aggregate of fifty percent of surplus as regards policyholders plus the statutory premium reserve less the company's investment in title plants, all as shown in the most recent annual statement of the insurer on file with the director.

2. For purposes of this chapter:

(1) A single risk shall be the insured amount of any title insurance policy, except that, where two or more title insurance policies are issued simultaneously covering different estates in the same real property, a single risk shall be the sum of the insured amounts of all the title insurance policies; and

(2) A policy under which a claim payment reduces the amount of insurance under one or more other title insurance policies shall be included in computing the single risk sum only to the extent that its amount exceeds the aggregate amount of the policy or policies whose amount of insurance is reduced.

3. A title insurer may obtain reinsurance for all or any part of its liability under its title insurance policies or reinsurance agreements and may also reinsure title insurance policies issued by other title insurers on single risks located in this state or elsewhere. Reinsurance on policies issued on properties located in this state may be obtained from any title insurers licensed to transact title insurance business in this state, any other state, or the District of Columbia and which have a combined capital and surplus of at least eight hundred thousand dollars.

4. The director may waive the limitation of this section for a particular risk upon application of the title insurer and for good cause shown.

381.068. In determining the financial condition of a title insurer doing business pursuant to this chapter, the general investment provisions of sections 376.300 to 376.305, RSMo, shall apply; except that, an investment in a title plant or plants in an amount equal to the actual cost shall be allowed as an admitted asset for title insurers. The aggregate amount of the investment shall not exceed fifty percent of surplus to policyholders, as shown on the most recent annual statement of the title insurer on file with the director.

381.072. In determining the financial condition of a title insurer doing business pursuant to this chapter, the general provisions of the insurance code requiring the establishment of reserves sufficient to cover all known and unknown liabilities including allocated and unallocated loss adjustment expense, shall apply; except that, a title insurer shall establish and maintain:

(1) (a) A known claim reserve in an amount estimated to be sufficient to cover all unpaid losses, claims and allocated loss adjustment expenses arising under title insurance policies for which the title insurer may be liable, and for which the insurer has discovered or received notice by or on behalf of the insured or escrow or security depositor;

(b) Upon receiving notice from or on behalf of the insured of a title defect in or lien or adverse claim against the title of the insured that may result in a loss or cause expense to be incurred in the proper disposition of the claim, the title insurer shall determine the amount to be added to the reserve, which amount shall reflect a careful estimate of the loss or loss expense likely to result by reason of the claim;

(c) Reserves required pursuant to this section may be revised from time to time and shall be redetermined at least once each year;

(2) A statutory or unearned premium reserve established and maintained as follows:

(a) A domestic title insurer shall establish and maintain an unearned premium reserve computed in accordance with this section, and all sums attributed to such reserve shall at all times and for all purposes be considered and constitute unearned portions of the original premiums. This reserve shall be reported as a liability of the title insurer in its financial statements;

(b) The unearned premium reserve shall be maintained by the title insurer for the protection of holders of title insurance policies. Except as provided in this section, assets equal in value to the reserve are not subject to distribution among creditors or stockholders of the title insurer until all claims of policyholders or claims under reinsurance contracts have been paid in full, and all liability on the policies or reinsurance contracts has been paid in full and discharged or lawfully reinsured;

(c) The unearned premium reserve shall consist of:

a. The amount of the unearned premium reserve on the effective date of sections 381.003 to 381.125; and

b. A sum equal to fifteen cents for each one thousand dollars of net retained liability under each title insurance policy, excluding mortgagee's policies simultaneously issued with owner's policies or owner's leasehold policies of the same or greater amount, on a single risk written on properties located in this state and issued after the effective date of sections 381.003 to 381.125;

(d) Amounts placed in the unearned premium reserve in any year in accordance with paragraph (c) of subdivision (2) of this section shall be deducted in determining the net profit of the title insurer for that year;

(e) A title insurer shall release from the unearned premium reserve a sum equal to ten percent of the amount added to the reserve during a calendar year on July first of each of the five years following the year in

which the sum was added, and shall release from the unearned premium reserve a sum equal to three and one-third percent of the amount added to the reserve during that year on each succeeding July first until the entire amount for that year has been released. The amount of the unearned premium reserve or similar unearned premium reserve maintained before the effective date of sections 381.003 to 381.125 shall be released in accordance with the law in effect immediately before the effective date of sections 381.003 to 381.125;

(f) a. Each domestic and foreign title insurer shall file annually with the audited financial report required pursuant to section 375.1032, RSMo, an actuarial certificate made by a member in good standing of the American Academy of Actuaries, or by an actuary permitted to make such certificate by the commissioner, superintendent or director of the department of insurance of the state of incorporation of a foreign title insurer;

b. The actuarial certification shall conform to the annual statement instructions for title insurers adopted by the National Association of Insurance Commissioners and shall include the actuary's professional opinion of the insurer's reserves as of the date of the annual statement. The reserves analyzed pursuant to this section shall include reserves for known claims, including adverse developments on known claims, and reserves for incurred but not reported claims;

(g) a. Each domestic and foreign title insurer shall establish a supplemental reserve in the amount by which the actuarially certified reserves exceed the total of the known claim reserve and statutory premium reserve as set forth in the title insurer's annual financial report, subject to subdivision (2) of this section;

b. The supplemental reserve required pursuant to this section shall be phased in as follows:

i. Twenty-five percent of the otherwise applicable supplemental reserve is required until December thirty-first of the year next following the effective date of sections 381.003 to 381.125;

ii. Fifty percent of the otherwise applicable supplemental reserve is required until December thirty-first of the second year following the effective date of sections 381.003 to 381.125;

iii. Seventy-five percent of the otherwise applicable supplemental reserve is required until December thirty-one of the third year following the effective date of sections 381.003 to 381.125;

iv. One hundred percent of the supplemental reserve is required after December thirty-first of the fourth year following the effective date of sections 381.003 to 381.125.

381.075. 1. Sections 375.570 to 375.750 and sections 375.1150 to 375.1246 shall apply to all title insurers subject to the title insurance act, except as otherwise provided in this section. In applying such sections, the court shall consider the unique aspects of title insurance and shall have broad authority to fashion relief that provides for the maximum protection of the title insurance policyholders.

2. Security and escrow funds held by or on behalf of the title insurer shall not become general assets and shall be administered as secured claims as defined in section 375.1152, RSMo.

3. Title insurance policies that are in force at the time an order of liquidation is entered shall not be canceled except upon a showing to the court of good cause by the liquidator. The determination of good cause shall be within the discretion of the court. In making this determination, the court shall consider the unique aspects of title insurance and all other relevant circumstances.

4. The court may set appropriate dates that potential claimants must file their claims with the liquidator. The court may set different dates for claims based upon the title insurance policy than for all other claims. In setting dates, the court shall consider the unique aspects of title insurance and all other relevant circumstances.

5. As of the date of the order of insolvency or liquidation, all premiums paid, due or to become due under policies of the title insurers, shall be fully earned. It shall be the obligation of title agencies, title agents, insureds or representatives of the title insurer to pay fully earned premium to the liquidator or rehabilitator.

381.078. A title insurer shall only declare or distribute a dividend to shareholders with the prior written approval of the director, as would be permitted pursuant to subdivision (1) of subsection 1 of section 382.210, RSMo.

[381.081. 1. A domestic title insurer shall establish and maintain an unearned premium reserve computed in accordance with this section, and all sums attributed to such reserve shall at all times and for all purposes be considered and constitute unearned portions of the original premiums. This reserve shall be reported as a liability of the title insurer in its financial statements.

2. The unearned premium reserve shall be maintained by the title insurer for the protection of holders of title insurance policies. Except as provided in this section, assets equal in value to the reserve are not subject to distribution among creditors or stockholders of the title insurer until all claims of policyholders or claims under reinsurance contracts have been paid in full, and all liability on the policies or reinsurance contracts has been paid in full and discharged or lawfully reinsured.

3. A foreign or alien title insurer licensed to transact title insurance business in this state shall maintain at least the same reserves on title insurance policies issued on properties located in this state as are required of domestic title insurers, unless the laws of the jurisdiction of domicile of the foreign or alien title insurer require a higher amount.

4. The unearned premium reserve shall consist of:

(1) The amount of the unearned premium reserve on September 28, 1987; and
(2) A sum equal to fifteen cents for each one thousand dollars of net retained liability under each title insurance policy, excluding mortgagee's policies simultaneously issued with owner's policies or owner's leasehold policies of the same or greater amount, on a single risk written on properties located in this state and issued after September 28, 1987.

5. Amounts placed in the unearned premium reserve in any year in accordance with subdivision (2) of subsection 4 of this section shall be deducted in determining the net profit of the title insurer for that year.

6. A title insurer shall release from the unearned premium reserve a sum equal to ten percent of the amount added to the reserve during a calendar year on July first of each of the five years following the year in which the sum was added, and shall release from the unearned premium reserve a sum equal to three and one-third percent of the amount added to the reserve during that year on each succeeding July first until the entire amount for that year has been released. The amount of the unearned premium reserve or similar unearned premium reserve maintained before September 28, 1987, shall be released in accordance with the law in effect immediately before September 28, 1987.]

381.085. 1. A title insurer or authorized rate service organization shall not deliver or issue for delivery or permit any of its authorized title agencies or title agents to deliver in this state, any form, in connection with title insurance written, unless it has been filed with the director and approved by the director or thirty days have elapsed and it has not been disapproved as misleading or violative of public policy. Each violation of this subsection is a class C violation as that term is defined in section 381.045.

2. Forms covered by this section shall include:

(1) Title insurance policies, including standard form endorsements; and
(2) Title insurance commitments issued prior to the issuance of a title insurance policy.

3. After notice and opportunity to be heard are given to the insurer or rate service organization which submitted a form for approval, the director may withdraw approval of the form on finding that the use of the form is contrary to the legal requirements applicable at the time of withdrawal. The effective date of withdrawal of approval shall not be less than ninety days after notice of withdrawal is given.

4. Any term or condition related to an insurance coverage provided by an approved title insurance policy or any exception to the coverage, except those ascertained from a search and examination of records relating to a title or inspection or survey of a property to be insured, may only be included in the policy after the term, condition or exception has been filed with the director and approved as herein provided.

381.088. 1. A title insurer may satisfy its obligation to file premium rates, rating manuals and forms as required by this chapter by becoming a member of, or a subscriber to, a rate service organization, organized and licensed pursuant to the provisions of this chapter, where the organization makes the filings, and by authorizing the director in writing to accept the filings on the insurer's behalf.

2. Nothing in this chapter shall be construed as requiring any title insurer, title agency or title agent to become a member of, or a subscriber to, any rate service organization. Nothing in this chapter shall be construed as prohibiting the filing of deviations from rate service organization filings by any member or subscriber.

[381.091. 1. If a domestic title insurer becomes insolvent, is in the process of liquidation or dissolution, or is in the possession of the director:

(1) Such amount of the assets of such title insurer equal to the unearned premium reserve then remaining may be used by or with the written approval of the director to pay for reinsurance of the liability of such title insurer upon all outstanding title insurance policies or reinsurance agreements to the extent to which claims for losses by the holders thereof are not then pending. The balance of assets, if any, equal to the unearned premium reserve, may then be transferred to the general assets of the title insurer;

(2) The net assets of the unearned premium reserve shall be available to pay claims for losses sustained by holders of title insurance policies then pending or arising up to the time reinsurance is effected. If claims for losses exceed such other assets of the title insurer, such claims, when established, shall be paid pro rata out of the surplus assets attributable to the unearned premium reserve to the extent of such surplus, if any.

2. If reinsurance is not obtained, assets equal to the unearned premium reserve and assets constituting minimum capital, or so much as remains thereof after outstanding claims have been paid, shall constitute a trust fund to be held and invested by the director for twenty years, out of which claims of policyholders shall be paid as they arise. The

balance, if any, of the trust fund shall, at the expiration of twenty years, revert to the general assets of the title insurer.]

381.092. 1. Every title insurer that shall propose its own premium rates and every title insurance rating organization shall propose premium rates that are not excessive nor inadequate for the safety and soundness of any title insurer, which do not unfairly discriminate between risks in this state which involve essentially the same exposure to loss and expense elements, and which shall give due consideration to the following matters:

- (1) The desirability for stability and responsiveness of rate structures;
- (2) The necessity of assuring the financial solvency of title insurance companies in periods of economic depression;
- (3) The necessity for paying dividends on the capital stock of title insurance companies sufficient to induce capital to be invested therein; and
- (4) A reasonable level of profit for the insurer.

2. Every title insurer that shall propose its own rates and every title insurance rating organization may adopt basic classifications of policies or contracts of title insurance which shall be used as the basis for rates.

381.095. 1. If the director shall find in his review of rate filings that the filings provide for, result in, or produce rates that are not unreasonably high, and are not inadequate for the safety and soundness of the insurer, and are not unfairly discriminatory between risks in this state involving essentially the same hazards and expense elements, the director shall approve such rates. Prior to such approval the director may conduct a public hearing with respect to a rate filing. An approval shall continue in effect until the director shall issue an order of disapproval pursuant to the requirements and procedure provided for in subsections 2 and 3 of this section.

2. Upon the review at any time by the director of a rate filing, the director shall, before issuing an order of disapproval, hold a hearing upon not less than ten days' written notice, specifying in reasonable detail the matters to be considered at such hearing, to every title insurer and title insurance rating organization which made such filing, and if, after such hearing, the director finds that such filing or a part thereof does not meet the requirements of this chapter, the director shall issue an order specifying in what respects the director finds that it so fails, and stating when, within a reasonable period thereafter, such filing or a part thereof shall be deemed no longer effective. A title insurer or title insurance rating organization shall have the right at any time to withdraw a filing or a part thereof, subject to the provisions of section 381.102, in the case of deviation filing. Copies of the order shall be sent to every title insurer and title insurance rating organization affected. The order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in the order.

3. Any person or organization aggrieved with respect to any filing which is in effect may make written application to the director for a hearing thereon. The title insurance company or title insurance rating organization that made the filing shall not be authorized to proceed pursuant to this subsection. Such application shall specify in reasonable detail the grounds to be relied upon by the applicant. If the director shall find that the application is made in good faith, that the applicant would be so aggrieved if his or her grounds are established, and that such grounds otherwise justify holding such a hearing, the director shall, within thirty days after receipt of such application, hold a hearing upon not less than ten days' written notice to the applicant and to every title insurance company and title insurance rating organization which made such a filing. If, after such hearing, the director finds that the filing or a part thereof does not meet the requirements of this chapter, the director shall issue an order specifying in what respects the director finds that such filing or a part thereof fails to meet the requirements of this chapter, stating when within a reasonable period thereafter, such filing or a part thereof shall be deemed no longer effective. Copies of such order shall be sent to the applicant and to every such title insurer and title insurance rating organization. The order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in the order.

381.098. 1. A corporation, an unincorporated association, a partnership or an individual, whether located within or outside this state, may make application to the director for license as a rating organization for title insurers, and shall file therewith:

- (1) A copy of its constitution, its articles of agreement or association or its certificate of incorporation, and of its bylaws, rules and regulations governing the conduct of its business;
- (2) A list of its members and subscribers;
- (3) The name and address of a resident of this state upon whom notices or orders of the director or process affecting such rating organization may be served; and
- (4) A statement of its qualifications as a title insurance rating organization.

2. If the director finds that the applicant is competent, trustworthy and otherwise qualified to act as a

rating organization, and that its constitution, articles of agreement or association or certificate of incorporation, and its bylaws, rules and regulations governing the conduct of its business, conform to requirements of law, the director shall issue a license authorizing the applicant to act as a rating organization for title insurance. Licenses issued pursuant to this section shall remain in effect for three years unless sooner suspended or revoked by the director or withdrawn by the licensee. The fee for such license shall be one thousand five hundred dollars. Licenses issued pursuant to this section may be suspended or revoked by the director, after hearing upon notice, in the event the rating organization ceases to meet the requirements of this subsection. Every rating organization shall notify the director promptly of every change in:

- (1) Its constitution, its articles of agreement or association or its certificate of incorporation, and its bylaws, rules and regulations governing the conduct of its business;
- (2) Its list of members and subscribers; and
- (3) The name and address of the resident of this state designated by it upon whom notices or orders of the director or process affecting such rating organization may be served.

3. Subject to rules and regulations which have been approved by the director as reasonable, each title insurance rating organization shall permit any title insurance company not a member to be a subscriber to its rating services. Notices of proposed changes in such rules and regulations shall be given to subscribers. Each such rating organization shall furnish its rating services without discrimination to its members and subscribers. The reasonableness of any rule or regulation in its application to subscribers, or the refusal of any such rating organization to admit a title insurance company as a subscriber, shall at the request of any subscriber or any such title insurance company, be reviewed by the director at a hearing held upon at least ten days' written notice to such rating organization and to such subscriber. If the director finds that such rule or regulation is unreasonable in its application to subscribers, the director shall order that such rule or regulation shall not be applicable to subscribers. If the rating organization fails to grant or reject an application of a title insurance company for subscribership within thirty days after it was made, the title insurance company may request a review by the director as if the application had been rejected. If the director finds that the title insurance company has been refused admittance to the title insurance rating organization as a subscriber without justification, the director shall order such rating organization to admit the title insurance company as a subscriber. If the director finds that the action of the title insurance rating organization was justified, the director shall make an order affirming its action.

[381.101. 1. All title insurers licensed in this state shall establish and maintain reserves against unpaid losses and loss expenses.

2. Upon receiving notice from or on behalf of the insured of a title defect in or lien or adverse claim against the title of the insured that may result in a loss or cause expense to be incurred in the proper disposition of the claim, the title insurer shall determine the amount to be added to the reserve, which amount shall reflect a careful estimate of the loss or loss expense likely to result by reason of the claim.

3. Reserves required under this section may be revised from time to time and shall be redetermined at least once each year.]

381.102. Every member of or subscriber to a title insurance rating organization shall adhere to the filings made on its behalf by such organization, except that any title insurance company which is a member of or subscriber to such a rating organization may file with the director a uniform percentage of decrease or increase to be applied to any or all elements of the fees produced by the rating system so filed for a class of title insurance which is found by the director to be a proper rating unit for the application of such uniform decrease or increase, or to be applied to the rates for a particular area, or otherwise deviate from the rating plans, policy forms or other matters which are the subject of filings pursuant to this chapter. Such deviation filing shall specify the basis for the modification and shall be accompanied by the data or historical pattern upon which the applicant relies. A copy of the deviation filing and data shall be sent simultaneously to such rating organization. Deviation filings shall be subject to the provisions of section 381.095.

381.105. 1. Any member of or subscriber to a title insurance rating organization may appeal to the director from any action or decision of such rating organization in approving or rejecting any proposed change in or addition to the filings of such rating organization, and the director shall, after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization, issue an order approving the action or decision of such rating organization or directing it to give further consideration to such proposal and to take action or make a decision upon it within thirty days. If such appeal is from the action or decision of the title insurance rating organization in rejecting a proposed addition to its filings, the director may, in the event

the director finds that such action or decision was unreasonable, issue an order directing the rating organization to make an addition to its filings, on behalf of its members and subscribers, in a manner consistent with the director's findings, within a reasonable time after the issuance of such order. If the appeal is from the action of the title insurance rating organization with regard to a rate or a proposed change in or addition to its filings relating to the character and extent of coverage, the director shall approve the action of the rating organization or such modification thereof as shall have been suggested by the appellant if either be made in accordance with this chapter.

2. The failure of a title insurance rating organization to take action or make a decision within thirty days after submission to it of a proposal pursuant to this section shall constitute a rejection of such proposal within the meaning of this section. If such appeal is based upon the failure of the rating organization to make a filing on behalf of such member or subscriber which is based on a system of expense allocation which differs from the system of expense allocation included in a filing made by such rating organization, the director shall, if the director grants the appeal, order the rating organization to make the requested filing for use by the appellant. In deciding such appeal, the director shall apply the standards set forth in section 381.032.

381.108. 1. The director shall promulgate reasonable rules and statistical plans, reasonably adapted to each of the rating systems on file with the department, which may be modified from time to time, and which shall be used thereafter by each title insurer, in the recording and reporting of the composition of its business, its loss and countrywide expense experience and those of its title insurance underwriters in order that the experience of all title insurer may be made available, at least annually, in such form and detail as may be necessary to aid him or her in determining whether rating systems comply with the standards set forth in this chapter. Such rules and plans may also provide for the recording of expense experience items which are specially applicable to this state and are not susceptible of determination by a prorating of countrywide expense experience. In promulgating such rules and plans, the director shall give due consideration to the rating systems on file with the department, and in order that such rules and plans may be as uniform as is practicable among the several states, to the rules and to the form of the plans used for such rating systems in other states. Such rules and plans shall not place an unreasonable burden of expense on any title insurer. No title insurer shall be required to record or report its expense and loss experience on a classification basis that is inconsistent with the rating system filed by it, nor shall any title insurer be required to report the experience to any agency of which it is not a member or subscriber. The director may designate one or more rating organizations or other agencies to assist the director in gathering such experience and making compilations thereof, and such compilations shall be made available, subject to reasonable rules promulgated by the director, to title insurers and rating organizations. The director shall give preference in such designation to entities organized by and functioning on behalf of title insurers operating in this state. If the director, in his or her judgment, determines that one or more of such organizations designated as statistical agent is unable or unwilling to perform its statistical functions according to reasonable requirements established from time to time by the director, he or she may, after consultation with such statistical agent and upon twenty days' notice to any affected companies, designate another person to act on the director's behalf in the gathering of statistical experience. The director shall in such case establish the fee to be paid to such designated person by the affected companies in order to pay the total cost of gathering and compiling such experience. Agencies designated by the director shall assist the director in making compilations of the reported data and such compilations shall be made available, subject to reasonable rules and regulations promulgated by the director, to insurers, rating organizations and any other interested parties.

2. Reasonable rules and plans may be promulgated by the director for the interchange of data necessary for the application of rating plans.

3. In order to further uniform administration of rate regulatory laws, the director and every title insurer and rating organization may exchange information and experience data with insurance supervisory officials, title insurers and rating organizations in other states, and may consult with them with respect to rate making and the application of rating systems.

4. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

[381.111. A title insurer may obtain reinsurance for all or any part of its liability under its title insurance policies or reinsurance agreements and may also reinsure title insurance policies issued by other title insurers on single risks located in this state or elsewhere. Reinsurance on policies issued on properties located in this state may be obtained from any title insurers licensed to transact title insurance business in this state, any other state, or the District of Columbia and which have a combined capital and surplus of at least eight hundred thousand dollars.]

381.112. For purposes of the premium tax imposed by sections 148.320 and 148.340, RSMo, the premium income received by a title insurer shall mean the amount of premium actually remitted to the title insurer and shall exclude any amount of premium retained by the title agent within the definition of "premium" contained in section 381.009.

381.115. 1. A person shall not act in the capacity of a title agency or title agent and a title insurer may not contract with any person to act in the capacity of a title agency or title agent with respect to risks located in this state unless the person is a licensed title agency or title agent in this state.

2. An individual employed by a licensed title agency or title agent to whom the agency or agent delegates authority to act on that agency's or agent's behalf shall be either individually licensed or be named on the employing agent's license if such employee performs any of the functions defined in paragraph (a) of subdivision (25) of section 381.009. Each person named on the license shall possess all qualifications determined by the director to be appropriate. The director may adopt rules, regulations, and requirements relating to licensing and practices of persons acting in the capacity of title agencies or agents. These persons may include title agencies, title agents, employees of either, and persons acting on behalf of title agencies or title agents. This subsection is not intended to include persons performing clerical functions.

3. Every title agency licensed in this state shall:

(1) Exclude or eliminate the word insurer or underwriter from its business name, unless the word agency is also included as part of the name; and

(2) Provide, in a timely fashion, each title insurer with which it places business any information the title insurer requests in order to comply with reporting requirements of the director.

4. A title agency or title agent licensed in this state prior to the effective date of this chapter shall have ninety days after the effective date of this chapter to comply with the requirements of this section.

5. If the title agency or title agent delegates the title search to a third party, such as an abstract company, the agency or agent must first obtain proof that the third party is operating in compliance with rules and regulations established by the director and the third party shall provide the agency or agent and the insurer with access to and the right to copy all accounts and records maintained by the third party with respect to business placed with the title insurer. Proof from the third party may consist of a signed statement indicating compliance, and shall be effective for a three-year period. Each violation of this subsection is a class C violation as that term is defined in section 381.045.

381.118. 1. Each title agent licensed to sell title insurance in this state, unless exempt pursuant to subsection 8 of this section, shall successfully complete courses of study as required by this section. Any person licensed to act as a title agent shall, during each two years, attend courses or programs of instruction or attend seminars equivalent to a minimum of eight hours of instruction. The initial such two-year period shall begin January first of the year next following the effective date of this chapter.

2. Subject to approval by the director, the courses or programs of instruction which shall be deemed to meet the director's standards for continuing educational requirements shall include, but not be limited to, the following:

(1) An insurance-related course taught by an accredited college or university or qualified instructor who has taught a course of insurance law at such institution;

(2) A course or program of instruction or seminar developed or sponsored by any authorized insurer, recognized agents' association or insurance trade association. A local agents' group may also be approved if the instructor receives no compensation for services;

(3) Courses approved for continuing legal education credit by the Missouri Bar.

3. A person teaching any approved course of instruction or lecturing at any approved seminar shall qualify for the same number of classroom hours as would be granted to a person taking and successfully completing such course, seminar or program.

4. Excess classroom hours accumulated during any two-year period may be carried forward to the two-year period immediately following the two-year period in which the course, program or seminar was held.

5. For good cause shown, the director may grant an extension of time during which the educational requirements imposed by this section may be completed, but such extension of time shall not exceed the period of one calendar year. The director may grant an individual waiver of the mandatory continuing education requirement upon a showing by the licensee that it is not feasible for the licensee to satisfy the requirements prior to the renewal date. Waivers may be granted for reasons including, but not limited to:

(1) Serious physical injury or illness;

- (2) Active duty in the armed services for an extended period of time;
- (3) Residence outside the United States; or
- (4) Licensee is at least seventy years of age and is currently licensed as a title agent.

6. Every person subject to the provisions of this section shall furnish in a form satisfactory to the director, written certification as to the courses, programs, or seminars of instruction taken and successfully completed by such person. A filing fee shall be paid by the person furnishing the report as determined by the director to be necessary to cover the administrative cost related to the handling of such certification reports, subject to the limitations imposed in subsection 9 of this section.

7. The provisions of this section shall not apply to those natural persons holding or applying for a license to act as a title agent in Missouri who reside in a state that has enacted and implemented a mandatory continuing education law or regulation pertaining to the title agents. However, those natural persons holding or applying for a Missouri agent license who reside in states which have no mandatory continuing education law or regulations shall be subject to all the provisions of this section to the same extent as resident Missouri title agents.

8. Rules necessary to implement and administer this section shall be promulgated by the director of the department of insurance, including, but not limited to, rules regarding the following:

(1) The insurance advisory board established by section 375.019, RSMo, shall be utilized by the director to assist the director in determining acceptable content of courses, programs and seminars to include classroom equivalency;

(2) Every applicant seeking approval by the director of a continuing education course pursuant to this section shall pay to the director a filing fee of fifty dollars per course, except that such total fee shall not exceed two hundred fifty dollars per year for any single applicant. Fees shall be waived for local agents' groups if the instructor receives no compensation for services. Such fee shall accompany any application form required by the director. Courses shall be approved for a period of no more than one year. Applicants holding courses intended to be offered for a longer period must reapply for approval;

(3) The director has the authority to determine the amount of the filing fee to be paid by title agents at the time of license renewal, which shall be set at an amount to produce revenue which shall not substantially exceed the cost of administering this section, but in no event shall such fee exceed ten dollars per biennial report filed.

9. All funds received pursuant to the provisions of this section shall be transmitted by the director of the department of insurance to the department of revenue for deposit in the state treasury to the credit of the department of insurance dedicated fund. All expenditures necessitated by this section shall be paid from funds appropriated from the department of insurance dedicated fund by the legislature.

10. When a title agent pays his or her biennial renewal fee, such agent shall also furnish the written certification and filing fee required by this section.

11. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

[381.121. 1. The deposit required by section 381.051 and the capital, surplus and unearned premium reserve of domestic title insurers shall be held in either cash or investments now or hereafter permitted to domestic life insurers with regard to their capital, reserve and surplus for reserve deposit.

2. A domestic title insurer may invest in title plants. For purposes of determining the financial condition of such title insurer, title plants will be treated as an asset valued at actual cost to the title insurer, not to exceed fifty percent of the surplus as to policyholders as shown on the most recent annual statement of the title insurer.

3. Any investment of a domestic title insurer acquired before September 28, 1987, and which under such sections, would be considered ineligible as an investment on that date, shall be disposed of within five years of September 28, 1987. The director, upon application and proof that forced sale of any such investment would be contrary to the best interests of the title insurer or its policyholders, may extend the period for disposal of the investment for a reasonable time.]

381.122. The director may during normal business hours examine, audit and inspect any and all books and records maintained by a title agency pursuant to this chapter.

381.125. 1. Whenever the business to be written constitutes affiliated business, prior to commencing the transaction, the title agency or title agent shall ensure that its customer has been provided with disclosure of the existence of the affiliated business arrangement and a written estimate of the charge or range of charges generally made for the title services provided by the title agency or agent.

2. The director may establish rules for use by all title agencies in the recording and reporting of the

agency's owners and of the agency's ownership interests in other persons or businesses and of material transactions between the parties.

3. The director may require each title agency to file on forms prescribed by the director reports setting forth the names and addresses of those persons, if any, that have a financial interest in the agency and who the agency knows or has reason to believe are producers of title insurance business or associates of producers.

4. Nothing in this chapter shall be construed as prohibiting affiliated business arrangements in the provision of title insurance business so long as:

(1) The title agency, title agent or party making a referral constituting affiliated business, at or prior to the time of the referral, discloses the arrangement and, in connection with the referral, provides the person being referred with a written estimate of the charge or range of charges likely to be assessed and otherwise complies with the disclosure obligations of this section;

(2) The person being referred is not required to use a specified title insurance agency, agent or insurer; and

(3) The only thing of value that is received by the title agency, title agent or party making the referral, other than payments otherwise permitted, is a return on an ownership interest. For purposes of this subsection, the terms "required use" and "return on an ownership interest" shall have the meaning accorded to them under the Real Estate Settlement Procedures Act (RESPA), 12 U.S.C. Section 2607, as amended and Regulation X, 24 C.F.R. Section 3500, et seq.

5. Each violation of any provision of this section is a class C violation as that term is defined in section 381.045.

[381.131. Any person who shall be appointed or who shall act as title insurance agent or agency for any title insurance company within this state, or who shall, as title insurance agent or agency, solicit applications, deliver policies and collect premiums thereon, or who shall receive or collect moneys from any source or on any account whatsoever, as agent or agency, for a title insurance company doing business in this state, shall be held responsible in a trust or fiduciary capacity to the company for any money so collected or received by him for such company.]

[381.141. 1. No title insurer or title agent or agency shall:

(1) Pay, directly or indirectly, to the insured or to any other person any commission, any part of its premiums, fees, or other charges; or any other consideration as inducement or compensation for the referral of title business or for performance of any escrow or other service by the title agent or agency; or

(2) Issue any title insurance policy or perform any service in connection with any transaction in which it has paid or intends to pay any commission, rebate or inducement which it knows to be in violation of this section.

2. Nothing in this section shall be construed as prohibiting reasonable payments, other than for the referral of title insurance business, for services actually rendered to either a title insurer or a title agent or agency in connection with title insurance business.

3. Nothing in sections 381.011 to 381.241 shall prohibit any producer or any associate of a producer from referring title business to any title insurer or title insurance agent or agency of his, her or its choice, and if such producer or associate producer has any financial, franchise, or ownership interest in the title insurer, the title insurance agent or agency, from receiving income or profits produced or realized from such financial, franchise or ownership interest so long as the purchaser is made aware in writing of the relationship between the producer or associate producer and the title agent or agency.]

[381.151. Nothing in sections 381.011 to 381.241 shall be construed as prohibiting the division of premiums and charges between or among a title insurer and its title agent or agency, two or more title insurers, one or more title insurers and one or more title agents or agencies or two or more title agents or agencies, provided such division of premiums and charges does not constitute:

(1) An unlawful rebate or inducement under the provisions of sections 381.011 to 381.241; or

(2) Payment of a forwarding fee or finder's fee.]

[381.161. 1. No producer or other person, except the person paying the premium for the title insurance, shall require, directly or indirectly, or through any trustee, director, officer, agent, employee, or affiliate, as a condition, agreement, or understanding to selling or furnishing any other person any loan, or extension thereof, credit, sale, property, contract, lease or service, that such other person shall place, any contract of title insurance of any kind through any particular title agent, agency, or title insurer. No title agent, agency, or title insurer shall knowingly participate in any such prohibited plan or transaction. No person shall fix a price charged for such thing or service, or discount from or rebate upon price, on the condition, agreement, or understanding that any title insurance is to be obtained through a particular agent, agency, or title insurer.

2. Any person who violates the provisions of this section, or any title insurer, title agent, or agency who accepts an order for title insurance knowing that it is in violation of the provision of this section shall, in addition to any other action which may be taken by the director, be subject to a fine in an amount equal to five times the premium for the title insurance.]

[381.171. 1. Premiums shall not be inadequate, excessive or unfairly discriminatory.

2. Premiums are excessive if, in the aggregate, they are likely to produce a long run profit that is unreasonably high in relation to the riskiness of the business or if expenses are unreasonably high in relation to the services rendered.

3. Premiums are inadequate if they are clearly insufficient, together with investment income attributable to them, to sustain projected losses and expenses or if continued use of such premiums will have the effect of substantially lessening competition or the effect of tending to create a monopoly.

4. Premiums are unfairly discriminatory if the premium charged for a policy of any particular face amount of liability is higher than the premium for an indetential policy within the same classification where such policy has a like face amount or a higher face amount of liability. Premiums within each premium classification may, in the discretion of the title insurer, to a reasonable degree be less than the expenses incurred and the risks assumed in the case of policies of lower face amount of liability and the excess may be charged against policies of higher face amount of liability without rendering the premiums unfairly discriminatory.

5. Premiums may be grouped by classifications into the various types of title policies and endorsements offered. The classifications may be further divided to produce premiums for individual risks or services within a classification. Those classifications or further divisions may be established based upon any one or more of the following:

(1) The size of a transaction and its effect upon the continuing solvency of the title insurer using the rate in question if a loss should occur;

(2) Expense elements, including management time that would ordinarily be expended in a typical transaction of a particular size;

(3) The geographic location of a transaction, including variation in risk and expense elements attributable thereto;

(4) The individual experience of the insurer and title insurance agent or agency using the rate in question; and

(5) Any other reasonable considerations which may include but not be limited to builder/developer quantity discounts and multiple policy discounts on an individual parcel of property. Those classifications or further divisions thereof shall apply to all risks and services in the business of title insurance under the same or under substantially the same circumstances or conditions.

6. In making or reviewing premiums due consideration shall be given to past and prospective loss experience, to exposure to loss, to underwriting practice and judgment, to past and prospective expenses including amounts paid to or retained by title agents or agencies, to a reasonable margin for profit and contingencies taking into account the need for a reasonable return on capital committed to the enterprise, and to all other relevant factors both within and outside of this state.

7. The director may promulgate rules or regulations setting forth guidelines for the evaluation of premiums. Such regulations may include consideration of:

(1) Cost of underwriting risks assumed by the insurer;

(2) Amounts paid to or retained by title agents;

(3) Operating expenses of the insurer other than underwriting and claims expense;

(4) Payment of claims and claim related expenses;

(5) Investment income;

(6) Reasonable profit;

(7) Premium taxes; and

(8) Any other factors the director deems relevant.]

[381.181. 1. Every title insurer shall file with the director its premium schedules it proposes to use in any county of this state. Every filing shall set forth its effective date, which shall not be earlier than the thirtieth day following its receipt by the director, and shall indicate the character and extent of the coverages and services contemplated. Filings that the director has not disapproved within thirty days of filing shall be deemed effective.

2. No title insurer or title agent or agency may use or collect any premium after September 28, 1987, except in accordance with the premium schedules filed with the director as required by subsections 1 and 2 of this section. The director may provide by regulation for interim use of premium schedules in effect prior to September 28, 1987.

3. Every title insurer shall establish basic classifications of coverages to be used as the basis for determining premiums.]

[381.191. In order to further uniform administration of rate regulatory laws, the director and every title insurer, title agent, or agency in the state may exchange information and experience data with insurance supervisory officials of this and other states and rating organizations in other states and may consult with them with respect to such information and data.]

[381.201. 1. No title insurer, title agent, or agency shall use any premium in the business of title insurance prior to its effective date nor prior to the filing with respect to such premium having been publicly displayed and made readily available to the public for a period of not less than thirty days in each office of the title insurer, title agent, or agency in the county to which such rates apply, and no premium increase shall apply to title policies which have been contracted for prior to such effective date.

2. Premium charges in excess of those set forth in a premium filing which has become effective may be made when such filing includes a statement that such premiums may be made in the event unusual insurance risks are assumed or unusual services performed in the transaction of the business of title insurance, provided that such premiums are reasonably commensurate with the risks assumed for the costs of the services performed.

3. Copies of the schedules of premiums which are required to be filed with the director under the provisions of sections 381.011 to 381.241, showing their effective date or dates, shall be kept at all times available to the public and prominently displayed in a public place in each office of a title insurer, title agent, or agency in the county to which such rates apply while such rates are effective.]

[381.211. Every title insurer shall file with the director copies of the following forms it proposes to use in this state, including:

- (1) Title insurance policies;
- (2) Standard form endorsements; and
- (3) Preliminary reports, commitments, binders, or any other reports issued prior to the issuance of a title insurance policy.]

[381.221. For purposes of the premium tax imposed by sections 148.320 and 148.340, RSMo, the premium income received by a title insurer shall be one hundred percent of the amounts paid by or on behalf of the insured as "premiums" within the definition of that term contained in sections 381.011 to 381.241.]

[381.231. In addition to any other powers granted under sections 381.011 to 381.241, the director may adopt rules or regulations to protect the interests of the public including, but not limited to, regulations governing sales practices, escrow, collection, settlement, closing procedures, policy coverage standards, rebates and inducements, controlled business, the approval of agency contracts, unfair trade practices and fraud, statistical plans for data collection, consumer education, any other consumer matters, the business of title insurance, or any regulations otherwise implementing or interpreting the provisions of sections 381.011 to 381.241. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.]

[381.241. 1. The director of insurance or his duly authorized representative may at any time and from time to time, inspect and examine the records, books and accounts of any title insurer, and may require such periodic and special reports from any title insurer, as may be reasonably necessary to enable the director to satisfy himself that such title insurer is complying with the requirements of sections 381.011 to 381.241. No person shall be authorized to inspect and examine the records, books and accounts of any title insurer unless such person has five years experience in the title insurance business. It shall be the duty of the director at least once every four years to make or cause to be made an examination of every title insurer. The reasonable expense of any examination shall be paid by the title insurer.

2. The purpose of such examination is to enable the director to ascertain whether there is compliance with the provisions of sections 381.011 to 381.241. If as a result of such examination the director has reason to believe that any rate, rating plan or rating system made or used by an insurer does not meet the standards and provisions of sections 381.011 to 381.241, applicable to it, the director may hold a public hearing. Within a reasonable period of time, which shall be not less than ten days before the date of such hearing, he shall mail written notice specifying the matters to be considered at such hearing to every person, insurer or organization believed by him not to be in compliance with the provisions of sections 381.011 to 381.241.

3. If the director, after such hearing, for good cause finds that such rate, rating plan or rating system does not meet the provisions of sections 381.011 to 381.241, he shall issue an order specifying in what respects any such rate, rating plan or rating system fails to meet such provisions, and stating when, within a reasonable period of time, the further use of such rate, rating plan or rating system by the title insurer which is the subject of the examination shall be prohibited. A copy of such order shall be sent to such title insurer.]

381.410. As used in sections 381.410 and 381.412, the following terms mean:

(1) "Cashier's check", a check, however labeled, drawn on the financial institution, which is signed only by an officer or employee of such institution, is a direct obligation of such institution, and is provided to a customer of such institution or acquired from such institution for remittance purposes;

(2) "Certified funds", U.S. currency, funds conveyed by a cashier's check, certified check, teller's check, as defined in Federal Reserve Regulations CC, or wire transfers, including written advice from a financial institution that collected funds have been credited to the settlement agent's account;

(3) "Director", the director of the department of insurance, unless the settlement agent's primary regulator is another division in the department of economic development. When the settlement agent is regulated by such division, that division shall have jurisdiction over sections 381.410 and 381.412;

(4) "Financial institution":

(a) A person or entity doing business [under] **pursuant to** the laws of this state or the United States relating to banks, trust companies, savings and loan associations[, or credit unions[, commercial and consumer finance companies, industrial loan companies, insurance companies, small business investment corporations licensed pursuant to the Small Business Investment Act of 1958 (15 U.S.C. Section 661, et seq.), as amended, or real estate investment trusts as defined in 26 U.S.C. Section 856, as amended, or institutions constituting the Farm Credit System pursuant to the Farm Credit Act of 1971 (12 U.S.C. Section 2000, et seq.), as amended, or any person which services loans secured by liens or mortgages on real property, which person may or may not maintain a servicing portfolio for such loans]; or

(b) The following persons or entities if their principal place of business is in Missouri or [a state which is contiguous to] **outside Missouri, but within the St. Louis or Kansas City standard metropolitan statistical area:**

a. A mortgage loan company which is subject to licensing, supervision or auditing by the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, or the United States Veterans Administration, or the Government National Mortgage Association, or the United States Department of Housing and Urban Development, or a successor of any of the foregoing agencies or entities, as an approved seller or servicer; [or

b. A person or entity acting as a mortgage loan company pursuant to court order;]

(5) "Settlement agent", a person, corporation, partnership, or other business organization which accepts funds and documents as fiduciary for the buyer, seller or lender for the purposes of closing a sale of an interest in real estate located within the state of Missouri, and is not a financial institution, or a member in good standing of the Missouri Bar [Association], or a person licensed under chapter 339, RSMo.

381.412. 1. A settlement agent who accepts funds of more than ten thousand dollars[, but less than two million dollars,] for closing a sale of an interest in real estate shall require a buyer, seller or lender who is not a financial institution to convey such funds to the settlement agent as certified funds. [The settlement agent shall record all security instruments for such real estate closing within three business days of such closing after receipt of such certified funds.]

A check:

(1) Drawn on an escrow account of a licensed real estate broker, as regulated and described in section 339.105, RSMo;

(2) Drawn on an escrow account of a title insurer or title insurance agency licensed to do business in Missouri;

(3) Drawn on an agency of the United States of America, the state of Missouri or any county or municipality of the state of Missouri; or

(4) Drawn on an account by a financial institution;

shall be exempt from the provisions of this section.

2. No title insurer, title insurance agency or title insurance agent, as defined in section [381.031] **381.009**, shall make any payment, disbursement or withdrawal in excess of ten thousand dollars from an escrow account which it maintains as a depository of funds received from the public for the settlement of real estate transactions unless a corresponding deposit of funds was made to the escrow account for the benefit of the payee or payees:

(1) At least ten days prior to such payment, disbursement or withdrawal;

(2) Which consisted of certified funds; or

(3) Consisted of a check made exempt from this section by the provisions of subsection 1 of this section.

3. If the director finds that a settlement agent, title insurer, title insurance agency or title insurance agent has violated any provisions of this section, the director may assess a fine of not more than two thousand dollars for each violation, plus the costs of the investigation. Each separate transaction where certified funds are required shall constitute a separate violation. In determining a fine, the director shall consider the extent to which the violation was a knowing and willful violation, the corrective action taken by the settlement agent to ensure that the violation will not be repeated, and the record of the settlement agent in complying with the provisions of this section.

Section E. The provisions of section D of this act shall become effective January 1, 2001."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shields raised a point of order that **House Amendment No. 2** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Smith, **House Amendment No. 2** was adopted.

Representative Rizzo offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 161, Section 178.870, Line 18, by inserting after all of said line the following:

"64.090. 1. For the purpose of promoting health, safety, morals, comfort or the general welfare of the unincorporated portion of counties, to conserve and protect property and building values, to secure the most economical use of the land, and to facilitate the adequate provision of public improvements all in accordance with a comprehensive plan, the county commission in all counties of the first class, as provided by law, except in counties of the first class not having a charter form of government, is hereby empowered to regulate and restrict, by order, in the unincorporated portions of the county, the height, number of stories and size of buildings, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land for trade, industry, residence or other purposes, including areas for agriculture, forestry and recreation.

2. The provisions of this section shall not apply to the incorporated portions of the counties, nor to the raising of crops, livestock, orchards, or forestry, nor to seasonal or temporary impoundments used for rice farming or flood irrigation. As used in this section, the term "rice farming or flood irrigation" means small berms of no more than eighteen inches high that are placed around a field to hold water for use for growing rice or for flood irrigation. This section shall not apply to the erection, maintenance, repair, alteration or extension of farm structures used for such purposes in an area not within the area shown on the flood hazard area map. This section shall not apply to underground mining where entrance is through an existing shaft or shafts or through a shaft or shafts not within the area shown on the flood hazard area map.

3. The powers by sections 64.010 to 64.160 given shall not be exercised so as to deprive the owner, lessee or tenant of any existing property of its use or maintenance for the purpose to which it is then lawfully devoted except that reasonable regulations may be adopted for the gradual elimination of nonconforming uses, nor shall anything in sections 64.010 to 64.160 interfere with such public utility services as may have been or may hereafter be specifically authorized or permitted by a certificate of public convenience and necessity, or order issued by the public service commission, or by permit of the county commission.

4. For the purpose of any zoning regulation adopted under the provisions of sections 64.010 to 64.160, the classification of single-family dwelling or single-family residence shall include any home in which eight or fewer unrelated mentally or physically handicapped persons reside, and may include two additional persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons. The classification of single-family dwelling or single-family residence shall also include any private residence licensed by the division of family services or department of mental health to provide foster care to one or more but less than seven children who are unrelated to either foster parent by blood, marriage or adoption. A zoning regulation may require that the exterior appearance of the home and property be in reasonable conformance with the general neighborhood standards and may also establish reasonable standards regarding the density of such individual homes in any specific single-family dwelling or single-family residence area. Should a single-family dwelling or single-family residence as defined in this subsection cease to operate for the purposes specified in this subsection, any other use of such dwelling or residence, other than that allowed by the zoning regulations, shall be approved by the county board

of zoning adjustment. Nothing in this subsection shall be construed to relieve the division of family services, the department of mental health or any other person, firm or corporation occupying or utilizing any single-family dwelling or single-family residence for the purposes specified in this subsection from compliance with any ordinance or regulation relating to occupancy permits except as to number and relationship of occupants or from compliance with any building or safety code applicable to actual use of such single-family dwelling or single-family residence.

5. Except in subsection 4 of this section, nothing contained in sections 64.010 to 64.160 shall affect the existence or validity of an ordinance which a county has adopted prior to March 4, 1991.

6. In any county of the first classification having a charter form of government and with a population of more than six hundred thousand but less than nine hundred thousand inhabitants, any zoning ordinance or order granting a conditional use permit adopted by the governing legislative body of such county pursuant to this section shall:

- (1) Be deemed enacted ten days after passage; and**
- (2) Not be subject to any veto power or other power to disapprove such ordinance or order from the executive of such county.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shields raised a point of order that **House Amendment No. 3** is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Rizzo, **House Amendment No. 3** was adopted.

Representative Hilgemann offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 64, Section 71.285, Line 12 of said page, by inserting after all of said line the following:

"71.794. A special business district may be established, enlarged or decreased in area as provided herein in the following manner:

(1) Upon petition by one or more owners of real property on which is paid the ad valorem real property taxes within the proposed district, the governing body of the city may adopt a resolution of intention to establish, enlarge or decrease in area a special business district. The resolution shall contain the following information:

- (a) Description of the boundaries of the proposed area;
- (b) The time and place of a hearing to be held by the governing body considering establishment of the district;
- (c) The proposed uses to which the additional revenue shall be put and the initial tax rate to be levied.

(2) Whenever a hearing is held as provided hereunder, the governing body of the city shall publish notice of the hearing on two separate occasions in at least one newspaper of general circulation not more than fifteen days nor less than ten days before the hearing; and shall mail a notice by [registered or certified] United States mail [with a return receipt attached] of the hearing to all owners of record of real property and licensed businesses located in the proposed district; and shall hear all protests and receive evidence for or against the proposed action; rule upon all protests which determination shall be final; and continue the hearing from time to time.

(3) If the governing body decides to change the boundaries of the proposed area, the hearing shall be continued to a time at least fifteen days after the decision. Notice shall be given in at least one newspaper of general circulation at least ten days prior to the time of said hearing showing the boundary amendments.

(4) If the governing body following the hearing decides to establish the proposed district, it shall adopt an ordinance to that effect. The ordinance shall contain the following:

- (a) The number, date and time of the resolution of intention pursuant to which it was adopted;
- (b) The time and place the hearing was held concerning the formation of the area;

- (c) The description of the boundaries of the district;
- (d) A statement that the property in the area established by the ordinance shall be subject to the provisions of additional tax as provided herein;
- (e) The initial rate of levy to be imposed upon the property lying within the boundaries of the district;
- (f) A statement that a special business district has been established;
- (g) The uses to which the additional revenue shall be put;
- (h) In any city with a population of less than three hundred fifty thousand, the creation of an advisory board or commission and enumeration of its duties and responsibilities;
- (i) In any city with a population of three hundred fifty thousand or more, provisions for a board of commissioners to administer the special business district, which board shall consist of seven members who shall be appointed by the mayor with the advice and consent of the governing body of the city. Five members shall be owners of real property within the district or their representatives and two members shall be renters of real property within the district or their representatives. The terms of the members shall be structured so that not more than two members' terms shall expire in any one year. Subject to the foregoing, the governing body of the city shall provide in such ordinance for the method of appointment, the qualifications, and terms of the members."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hilgemann, **House Amendment No. 4** was adopted.

Representative Graham (24) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 45, Section 67.493, Line 1, by inserting after said line the following:

"67.547. 1. In addition to the tax authorized by section 67.505, any county may, by a majority vote of its governing body, impose an additional county sales tax on all sales which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo. The tax authorized by this section shall be in addition to any and all other sales tax allowed by law; except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose such tax.

2. The ballot of submission shall contain, but need not be limited to the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert rate) percent?

G Yes

G No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax as herein authorized unless and until the governing body of the county submits another proposal to authorize the governing body of the county to impose the sales tax under the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. The sales tax may be imposed at a rate of **one-eighth of one percent**, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525, RSMo.

4. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

5. In any first class county having a charter form of government and having a population of nine hundred

thousand or more, the proceeds of the sales tax authorized by this section shall be distributed so that an amount equal to three-eighths of the proceeds of the tax shall be distributed to the county and the remaining five-eighths shall be distributed to the cities, towns and villages and the unincorporated area of the county on the ratio that the population of each bears to the total population of the county. The population of each city, town or village and the unincorporated area of the county and the total population of the county shall be determined on the basis of the most recent federal decennial census.

6. In any first class county having a charter form of government and having a population of nine hundred thousand or more, no tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport or recreation, either upon, above or below the ground.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.582. 1. The governing body of any county, except a county of the first class with a charter form of government with a population of greater than four hundred thousand inhabitants, is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo, for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

G Yes

G No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to enter into agreements to form a regional jail district and obligates the county to make payments from the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) be authorized to enter into agreements for the purpose of forming a regional jail district and obligating the county to impose a countywide sales tax of (insert amount) to fund dollars of the costs to construct a regional jail and to fund the costs to operate a regional jail, with any funds in excess of that necessary to construct and operate such jail to be used for law enforcement purposes?

G Yes

G No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If the constitutionally required percentage of the voters voting thereon are in favor of the proposal submitted pursuant to subdivision (2) of this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first

day of the second quarter immediately following the election approving the proposal. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing law enforcement services for such county for so long as the tax shall remain in effect. **Revenue placed in the special trust fund may also be utilized for capital improvement projects for law enforcement facilities and for the payment of any interest and principle on bonds issued for said capital improvement projects.**

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for providing law enforcement services for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue under this section on behalf of any county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "County Law Enforcement Sales Tax Trust Fund". The moneys in the county law enforcement sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county law enforcement sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the fund for any law enforcement functions authorized in the ordinance or order adopted by the governing body submitting the law enforcement tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

67.700. 1. Any county, as defined in section 67.724, may, by ordinance or order, impose a sales tax on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo, for any capital improvement purpose designated by the county in its ballot of submission to its voters; provided, however, that no ordinance or order enacted pursuant to the authority granted by sections 67.700 to 67.727 shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose a tax under the provisions of sections 67.700 to 67.727. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert capital improvement purpose)?

G YES

G NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place

an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax authorized by sections 67.700 to 67.727 unless and until the governing body of the county shall again have submitted another proposal to authorize it to impose the sales tax under the provisions of sections 67.700 to 67.727 and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by a county from the tax authorized by sections 67.700 to 67.727 which has been designated for a certain capital improvement purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the voters under subsection 2 of this section or if the tax authorized by sections 67.700 to 67.727 is repealed under section 67.721, all funds remaining in the special trust fund shall continue to be used solely for such designated capital improvement purpose **including the payment of principle and interest on any bonds issued to pay for such capital improvement**. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

4. The sales tax may be imposed at a rate of **one-eighth of one percent**, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525, RSMo.

5. In addition to the rates provided in subsection 4 of this section, any county of the first class without a charter form of government which adjoins a county of the first class containing part of a city containing more than three hundred fifty thousand inhabitants and which also adjoins a county of the third class having a township form of government shall also be authorized to (1) levy such sales tax at a rate of one-eighth of one percent; or (2) levy such sales tax at a rate of one-fourth of one percent in conjunction with a reduction in its property tax levy or levies for general revenues or for funding the maintenance of roads and bridges, or both, for each year in which the sales tax is imposed. Such reduction shall be in an amount sufficient to decrease the property taxes it will collect by not less than fifty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied. If in the immediately preceding year a county actually collected less sales tax revenue than was projected for purposes of reducing its property tax levy or levies, the county shall adjust its property tax levy or levies for the current year to reflect such decrease. Any such county seeking voter approval of the sales tax alternative authorized in this subsection shall include in the ballot of submission authorized in subsection 2 of this section language clearly stating the appropriate percentage of the sales tax revenue shall be used for property tax reduction as provided herein. For purposes of this subsection, the term "sales tax revenue collected" shall have the meaning provided in section 67.500."; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Hoppe raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Graham (24), **House Amendment No. 5** was adopted.

Representative Legan offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 151, Section 301.025, Lines 20 to 21 of said page, by deleting the following:

"as evidenced by paid tax receipts"; and

Further amend said bill, Page 151, Section 301.025, Lines 32 to 34, by deleting all of said lines and inserting in lieu thereof the following:

"accompanied by proof that taxes were not due or have been paid for the two or three years which immediately precede the"; and

Further amend said bill, Page 151, Section 301.025, Line 36, by inserting after the word "**due**" the following:

"; except that, when electronic personal property tax data has been provided to the department of revenue and the department of revenue verifies that personal property taxes have been paid for the two or three years which immediately precede the year in which the motor vehicle's or trailer's registration is due, the department of revenue shall accept those records as proof that the taxpayer has paid such personal property taxes"; and

Further amend said bill, Page 152, Section 301.025, Line 15 of said page, by inserting after the word "**paid.**" the following:

"If the applicant was a resident of another county of this state in the applicable preceding years, he or she shall submit to the collector in the county or township of residence proof that the personal property tax was paid in the applicable tax year."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Legan, **House Amendment No. 6** was adopted.

Representative Legan offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 154, Section 301.025, Line 17, by inserting at the end of said line the following:

"Residents of counties with a township form of government and with township collectors shall present personal property tax receipts which have been paid for the preceding two years when registering under this section.".

On motion of Representative Legan, **House Amendment No. 7** was adopted.

Representative Auer offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 95, Section 141.220, Lines 34 to 35 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"(1) "Appraiser" shall mean an [independent] appraiser licensed or certified pursuant to chapter 339, RSMo, who is not an employee of the collector or collection authority;"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Auer, **House Amendment No. 8** was adopted.

Representative Williams (121) offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 159, Section C, Line 39 of said page, by inserting after all of said lines the following:

"Section D. Section 52.260, RSMo 1994, is repealed and two new sections enacted in lieu thereof, to be known as sections 52.260 and 52.325, to read as follows:

52.260. The collector in counties not having township organization shall collect on behalf of the county the following fees for collecting all state, county, bridge, road, school, back and delinquent, and all other local taxes, including merchants', manufacturers' and liquor and beer licenses, other than ditch and levee taxes, and the fees collected shall be deposited in the county general fund:

(1) [In all counties wherein the total amount levied for any one year exceeds two hundred and fifty thousand dollars and is less than three hundred and fifty thousand dollars, a fee of two and one-half percent on the amount collected;

(2)] In all counties wherein the total amount levied for any one year [exceeds three hundred and fifty thousand dollars and] is less than two million dollars, a fee of two and one-half percent on the [first three hundred and fifty thousand dollars collected and one percent on whatever amount may be collected over three hundred and fifty thousand dollars] **total amounts collected;**

[(3)] (2) In all counties **of the second, third and fourth classification** wherein the total amount levied for any one year exceeds two million dollars, a fee of one percent **and one-half** on the **total** amounts collected;

(3) **In all counties of the first classification, and any city not within a county wherein the total amount levied for any one year exceeds two million dollars, a fee of one percent on the total amounts collected.**

52.315. 1. Any provision of law to the contrary notwithstanding, any fee provided for in section 52.260 and section 54.320, RSMo, or any other provision of law in conflict with the provisions of this section, a percentage of all ad valorem property tax collections allocable to each taxing authority within the county and the county shall be deducted from the collections of taxes each year and shall be deposited into the tax maintenance fund of the county as required by this section. The percentage shall be one-eighth of one percent on the total amounts collected for all counties of the first classification not having a charter form of government, for all counties of the second, third and fourth classification wherein the total amount levied for anyone year is less than four million dollars, a fee of one percent on the total amounts collected; in all counties of the second, third and fourth classification wherein the total amount levied for anyone year exceeds four million dollars, a fee of one-half of one percent on the total amounts collected; and one percent on the total amounts collected pursuant to section 54.320, RSMo, for all counties having township organization. For any county of the first classification having a charter form of government and for any city not within a county, the percentage deposited into the tax maintenance fund shall be three percent of the fees and commissions collected pursuant to section 52.260. All fees collected pursuant to this section shall be deposited into the tax maintenance fund and used for additional administration and operation costs for the offices of collector and treasurer ex officio collector. Any costs, as used in this chapter are defined as those costs that require any additional out-of-pocket expense by the offices of collector and treasurer ex officio collector and it may include reimbursement to county general revenue for the salaries of employees of the offices of collector and treasurer ex officio collector for hours worked all of which are inclusive and necessary to conduct and execute the duties and responsibilities of such offices. The tax maintenance fund may also be used by the collector and treasurer ex officio collector for training programs, purchasing new or upgrading information technology, equipment or other essential administrative expenses necessary to carry out the duties and responsibilities of the offices of collector and treasurer ex officio collector, including anything necessarily pertaining thereto. The collector and treasurer ex officio collector have the sole responsibility for all expenditures made from the tax maintenance fund and shall approve all expenditures from such fund. All such expenditures from the tax maintenance fund shall not be used to substitute for or subsidize any allocation of general revenue for the operation of the offices of collector or treasurer ex officio collector. The tax maintenance fund may be audited by the appropriate auditing agency. Any unexpended balance shall be left in the tax maintenance fund, to accumulate from year to year with interest. County general revenue may also provide additional moneys for this fund. To assure the necessary funds are available for the purposes of collecting all ad valorem taxes, any county subject to the provisions of this section

other than counties of the first classification, and any city not within a county, shall provide moneys for budget purposes in an amount not less than the commissions and fees collected each year as prescribed by law in this chapter and chapter 54, RSMo. Counties of the first classification and any city not within a county subject to the provisions of this section shall provide moneys for budget purposes in an amount not less than the approved budget in the previous year and shall include the same percentage adjustments in compensation provided for other county employees as effective January first each year.

2. The collector of each county and the treasurer ex officio collector of each county having township organization pursuant to the provisions of this section shall, no later than July first, annually certify to each school district containing any portion of such county and to the department of elementary and secondary education the amount of increased commissions collected pursuant to this section and section 52.260.

3. Any provision of law to the contrary notwithstanding, or any other provision of law in conflict with the provisions of this section, in all counties pursuant to this section not having a charter form of government other than any county of the first classification and any city not within a county on or after August 28, 2000, the percentage being deducted on the total amounts of all ad valorem property tax collections allocable to each taxing authority within the county and the county shall continue to be deducted from the collections of taxes each year and shall be deposited into the tax maintenance fund as required by subsection 1 of this section.

Section E. Section D of this act shall become effective January 1, 2000.

Section F. Section 163.031, RSMo Supp. 1999, is repealed and one new section enacted in lieu thereof, to be known as section 163.031, to read as follows:

163.031. 1. School districts which meet the requirements of section 163.021 shall be entitled to an amount computed as follows: an amount determined by multiplying the number of eligible pupils by the lesser of the district's equalized operating levy for school purposes as defined in section 163.011 or two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor plus an amount determined by multiplying the number of eligible pupils by the greater of zero or the district's equalized operating levy for school purposes as defined in section 163.011 minus two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor. For the purposes of this section, the proration factor shall be equal to the sum of the total appropriation for distribution under subsections 1 and 2 of this section; and the state total of the deductions as calculated in subsection 2 of this section which do not exceed the district entitlements as adjusted by the same proration factor; divided by the amount of the state total of district entitlements before proration as calculated pursuant to this subsection; provided that, if the proration factor so calculated is greater than one, the proration factor for line 1(b) shall be the greater of one or the proration factor for line 1(a) minus five hundredths, and provided that if the proration factor so calculated is less than one, the proration factor for line 1(a) shall be the lesser of one or the proration factor for line 1(b) plus five hundredths.

2. From the district entitlement for each district there shall be deducted the following amounts: an amount determined by multiplying the district equalized assessed valuation by the district's equalized operating levy for school purposes times the district income factor plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year **and minus the total amount of increased commissions certified to the district by county collectors and treasurer ex officio collectors pursuant to sections 52.260 and 52.315, RSMo**; one hundred percent of the amount received the previous year for school purposes from intangible taxes, fines, forfeitures and escheats, payments in lieu of taxes and receipts from state assessed railroad and utility tax, except that any penalty paid after July 1, 1995, by a concentrated animal feeding operation as defined by the department of natural resources rule shall not be included; one hundred percent of the amounts received the previous year for school purposes from federal properties pursuant to sections 12.070 and 12.080, RSMo; federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less fifty thousand dollars multiplied by ninety percent or the maximum percentage allowed by federal regulation if that percentage is less than ninety; fifty percent, or the percentage otherwise provided in section 163.087, of Proposition C revenues received the previous year for school purposes from the school district trust fund pursuant to section 163.087; one hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo; and one hundred percent of the amount received the previous year for school purposes from the free textbook fund, pursuant to section 148.360, RSMo.

3. School districts which meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. There shall be individual proration factors for each categorical entitlement provided for in this subsection, and each proration factor shall be determined by annual appropriations, but no categorical proration

factor shall exceed the entitlement proration factor established pursuant to subsection 1 of this section, except that the vocational education entitlement proration factor established pursuant to line 16 of subsection 6 of this section and the educational and screening program entitlements proration factor established pursuant to line 17 of subsection 6 of this section may exceed the entitlement proration factor established pursuant to subsection 1 of this section. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs pursuant to section 163.161 multiplied by the proration factor; the special education approved or allowed cost entitlement for the district, provided for by section 162.975, RSMo, multiplied by the proration factor; seventy-five percent of the district gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, multiplied by the proration factor; the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, multiplied by twenty percent, for a district with an operating levy in excess of two dollars and seventy-five cents per one hundred dollars assessed valuation, or twenty-two percent, otherwise times the guaranteed tax base per eligible pupil times two dollars and seventy-five cents per one hundred dollars assessed valuation times the proration factor plus the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, times thirty percent times the guaranteed tax base per eligible pupil times the following quantity: ((the greater of zero or the district's operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) times one or, beginning in the fifth year following the effective date of this section, the quotient of the district's fiscal instructional ratio of efficiency for the prior year divided by the fiscal year 1998 statewide average fiscal instructional ratio of efficiency, if the district's prior year fiscal instructional ratio of efficiency is at least five percent below the fiscal year 1998 statewide average) times the proration factor, minus court-ordered state desegregation aid received by the district for operating purposes; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515, RSMo, multiplied by the proration factor; the vocational education entitlement for the district, as provided for in section 167.332, RSMo, multiplied by the proration factor and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699, RSMo, times the proration factor.

4. Each district's apportionment shall be the prorated categorical add-ons plus the greater of the district's prorated entitlement minus the total deductions for the district or zero.

5. (1) In the 1993-94 school year and all subsequent school years, pursuant to section 10(c) of article X of the state constitution, a school district shall adjust upward its operating levy for school purposes to the extent necessary for the district to at least maintain the current operating expenditures per pupil received by the district from all sources in the 1992-93 school year, except that its operating levy for school purposes shall not exceed the highest tax rate in effect subsequent to the 1980 tax year, or the minimum rate required by subsection 2 of section 163.021, whichever is less.

(2) The revenue per eligible pupil received by a district from the following sources: line 1 minus line 10, or zero if line 1 minus line 10 is less than zero, plus line 14 of subsection 6 of this section, shall not be less than the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14 per eligible pupil that exceeds the line 14 per pupil amount from the 1997-98 school year, or the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14(a) per eligible pupil times the quotient of line 1 minus line 10, divided by the number of eligible pupils, or zero if line 1 minus line 10 is less than zero, divided by the revenue per eligible pupil received by the district in the 1992-93 school year from the foundation formula entitlement payment amount, whichever is greater. The department of elementary and secondary education shall make an addition in the payment amount of line 19 of subsection 6 of this section to assure compliance with the provisions contained in this section. **Beginning with the November 2001 state aid payment, and for each November state aid payment thereafter, each district receiving an additional payment amount pursuant to this subdivision shall also receive an additional state aid payment equal to the total amount certified to the district pursuant to the provisions of subsection 2 of section 52.315, RSMo, for the preceding year.**

(3) For any school district which meets the eligibility criteria for state aid as established in section 163.021, but which under subsections 1 to 4 of this section, receives no state aid for two successive school years, other than categorical add-ons, by August first following the second such school year, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, RSMo. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school district related to the authority of the state board of education to classify school districts pursuant to section 161.092, RSMo, and such other rules as determined by the

commissioner of education, except that such waivers shall not include the provisions established pursuant to sections 160.514 and 160.518, RSMo.

(4) In the 1993-94 school year and each school year thereafter for two years, those districts which are entitled to receive state aid under subsections 1 to 4 of this section, shall receive state aid in an amount per eligible pupil as provided in this subsection. For the 1993-94 school year, the amount per eligible pupil shall be twenty-five percent of the amount of state aid per eligible pupil calculated for the district for the 1993-94 school year pursuant to subsections 1 to 4 of this section plus seventy-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1993-94 school year pursuant to subsections 1 to 4 of this section. For the 1994-95 school year, the amount per eligible pupil shall be fifty percent of the amount of state aid per eligible pupil calculated for the district for the 1994-95 school year pursuant to subsections 1 to 4 of this section plus fifty percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1994-95 school year pursuant to subsections 1 to 4 of this section. For the 1995-96 school year, the amount of state aid per eligible pupil shall be seventy-five percent of the amount of state aid per eligible pupil calculated for the district for the 1995-96 school year pursuant to subsections 1 to 4 of this section plus twenty-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1995-96 school year pursuant to subsections 1 to 4 of this section. Nothing in this subdivision shall be construed to limit the authority of a school district to raise its district operating levy pursuant to subdivision (1) of this subsection.

(5) If the total of state aid apportionments to all districts pursuant to subdivision (3) of this subsection is less than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then the difference shall be deposited in the outstanding schools trust fund. If the total of state aid apportionments to all districts pursuant to subdivision (1) of this subsection is greater than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then funds shall be transferred from the outstanding schools trust fund to the state school moneys fund to the extent necessary to fund the district entitlements as modified by subdivision (4) of this subsection for that school year with a district entitlement proration factor no less than one and such transfer shall be given priority over all other uses for the outstanding schools trust fund as otherwise provided by law.

6. State aid shall be determined as follows:

District Entitlement

- 1(a). Number of eligible pupils x (lesser of district's equalized operating levy for school purposes or two dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP)..... \$.....
- 1(b). Number of eligible pupils x (greater of: 0, or district's equalized operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP)..... \$.....

Deductions

2. District equalized assessed valuation x district income factor x district's equalized operating levy for school purposes plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year **and minus the total amount of increased commissions certified to the district by county collectors and treasurer ex officio collectors pursuant to sections 52.260 and 52.315, RSMo, for the preceding year**..... \$.....
3. Intangible taxes, fines, forfeitures, escheats, payments in lieu of taxes, etc. (100% of the amount received the previous year for school purposes)..... \$.....
4. Receipts from state assessed railroad and utility

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|--------|---|---------|
| | tax (100% of the amount received the previous year for school purposes)..... | \$..... |
| 5. | Receipts from federal properties pursuant to sections 12.070 and 12.080, RSMo (100% of the amount received the previous year for school purposes)..... | \$..... |
| 6. | (Federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less \$50,000) x 90% or the maximum percentage allowed by federal regulations if less than 90%..... | \$..... |
| 7. | Fifty percent or the percentage otherwise provided in section 163.087 of Proposition C receipts from the school district trust fund received the previous year for school purposes pursuant to section 163.087..... | \$..... |
| 8. | One hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo..... | \$..... |
| 9. | One hundred percent of the amount received the previous year for school purposes from the free textbook fund pursuant to section 148.360, RSMo..... | \$..... |
| 10. | Total deductions (sum of lines 2-9)..... | \$..... |
| | Categorical Add-ons | |
| 11. | The amount distributed pursuant to section 163.161 x proration..... | \$..... |
| 12. | Special education approved or allowed cost entitlement for the district pursuant to section 162.975, RSMo, x proration..... | \$..... |
| 13. | Seventy-five percent of the gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, x proration..... | \$..... |
| 14(a). | Free and reduced lunch eligible pupil count for the district, as defined in section 163.011, x .20, if operating levy in excess of \$2.75, or .22, otherwise x GTB per EP x \$2.75 per \$100 AV x proration..... | \$..... |
| 14(b). | Free and reduced lunch eligible pupil count for the district, as defined in section 163.011 x .30 x GTB x ((the greater of zero or the district's adjusted operating levy minus \$2.75 per \$100 AV) x (1.0 or, beginning in the fifth year following the effective date of this section, the district's FIRE for the prior year/statewide average FIRE for FY 1998, if the district's prior year FIRE is at least five percent below the FY 1998 statewide average FIRE) x proration) - court-ordered state desegregation aid received by the district for operating purposes..... | \$..... |
| 15. | Career ladder entitlement for the district as provided for in sections 168.500 to 168.515, RSMo, x proration..... | \$..... |
| 16. | Vocational education entitlements for the district as provided in section 167.332, RSMo, x proration | \$..... |
| 17. | Educational and screening program entitlements for the district as provided in sections 178.691 to 178.699, RSMo, x proration..... | \$..... |
| 18. | Sum of categorical add-ons for the district | |

(sum of lines 11-17)..... \$.
 19. District apportionment (line 18 plus the greater of
 line 1 minus line 10 or zero) \$.

7. Revenue received for school purposes by each school district pursuant to this section shall be placed in each of the incidental and teachers' funds based on the ratio of the property tax rate in the district for that fund to the total tax rate in the district for the two funds.

8. In addition to the penalty for line 14 described in subsection 6 of this section, beginning in school year 2004-05, any increase in a school district's funds received pursuant to line 14 of subsection 6 of this section over the 1997-98 school year shall be reduced by one percent for each full percentage point the percentage of the district's pupils scoring at or above five percent below the statewide average level on either mathematics or reading is less than sixty-five percent.

9. If a school district's annual audit discloses that students were inappropriately identified as eligible for free or reduced-price lunch and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of line 14 aid paid on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of the line 14 aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.

Section G. Section F of this act shall become effective July 1, 2001."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Reid raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Crump moved the previous question on the motion to adopt **House Amendment No. 9**.

Which motion was adopted by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 074

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer

Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Secrest	Shields	Summers	Surface
Townley	Tudor	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 004

Burton	Harlan	Scott	Stokan
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VACANCIES: 001

Representative Williams (159) moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Ford offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitutue for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 19, Section 260.210, Line 90, by inserting after all of said line the following:

"Section 1. 1. In any city not within a county, any land reutilization authority of such city, or any successor agency to such authority, may issue bonds, notes or other obligations not to exceed ten million dollars to fund the demolition or renovation, pursuant to this section, of any residential property under the control of such authority. For purposes of this section, the term "residential property" means any property with four or fewer dwelling units. Bonds authorized by this section shall be issued upon the adoption of an ordinance or order by the city for the purposes described in this section.

2. Any property demolished wholly or in part via funds from bonds issued pursuant to this section may be used for any lawful purpose. Demolition funds from bonds issued pursuant to this section may, in addition to actual real property demolition and land leveling and clearance costs, include funds for the environmental remediation of, or for the repair of water, sewer, gas, telephone or electric utility access, as well as road access, to such property.

3. Any property renovated wholly or in part via funds from bonds issued pursuant to this section shall be renovated solely for sale to individuals with incomes at or below three hundred percent of the poverty level for use as a primary residence by the owner in at least one of the dwelling units. The price of the renovated housing sale shall not exceed the costs incurred for the renovation, and the buyer of any such property may use any available financing mechanism to make the purchase, including any state or federal assistance program. The governing body of the city may authorize the distribution of any portion of the funds from the bonds issued pursuant to this section to any or all of the nonprofit housing corporations located in such city, and in any percentage it sees fit to distribute to each such corporation, for the purpose of renovating any residential property under the control of the land reutilization authority, provided that the renovation and subsequent sale of such property complies with this section.

4. Bonds or notes issued pursuant to this section shall set out the amount of bonds or notes to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection therewith. Any such bonds or notes may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution.

5. Such bonds or notes shall bear interest at a rate set by the governing body of any city not within a

county which is establishing the programs described in this section, and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount thereof. Bonds or notes issued by an authority shall possess all of the qualities of negotiable instruments under the laws of this state.

6. Such bonds or notes may be payable to bearer, may be registered or coupon bonds or notes and if payable to bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing the same which resolution may also provide for the exchange of registered and coupon bonds or notes.

7. Bonds or notes issued by the governing body of a city not within a county shall be payable as to principal, interest and redemption premium, if any, out of the revenues from the sale of the renovated abandoned houses. Bonds or notes issued pursuant to this section shall not constitute an indebtedness of the governing body of a city not within a county within the meaning of any constitutional or statutory restriction, limitation or provision, and such bonds or notes shall not be payable out of any funds raised or to be raised by taxation. Each obligation or bond issued pursuant to this section shall contain on its face a statement to the effect that the governing body of a city not within a county shall not be obligated to pay such bond or interest on such bond except from the revenues received from the sale of the properties funded by such bonds and that neither the full faith or credit or taxing power of this state or of any political subdivision of this state is pledged to the payment of the principal of or the interest on such obligation or bond. The proceeds of such bonds shall be disbursed in such manner and pursuant to such restrictions the governing body of a city not within a county may provide in their resolutions authorizing the issuance of such bonds.

8. Any city not within a county shall use all funds received from the issuance of such bonds to fund the programs authorized pursuant to this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ford, **House Amendment No. 10** was adopted.

Representative Troupe offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 18, Section 67.410, Line 22 of said page, by inserting after all of said line the following:

"6. All fees collected pursuant to this section by a city not within a county shall be used for the repair and demolition of residential property owned by such city. For purposes of this section, the phrase "residential property" means a dwelling which houses four or less families."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Troupe, **House Amendment No. 11** was adopted.

Representative Parker offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 44, Section 67.493, Line 8, by inserting after all of said line the following:

"67.582. 1. The governing body of any county, except a county of the first class with a charter form of government with a population of greater than four hundred thousand inhabitants, or the governing body of any city located within a county which has enacted a county-wide sales tax for law enforcement is hereby authorized to

impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such county **or city** which are subject to taxation [under] **pursuant to** the provisions of sections 144.010 to 144.525, RSMo, for the purpose of providing law enforcement services for such county **or city**. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax [under] **pursuant to** the provisions of this section shall be effective unless the governing body of the county **or city** submits to the voters of the county **or city**, at a county, **city** or state general, primary or special election, a proposal to authorize the governing body of the county **or city** to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section the ballot shall contain substantially the following:

Shall the (**insert county or city**) of (county's **or city's** name) impose a (**insert countywide or citywide**) sales tax of (insert amount) for the purpose of providing law enforcement services for the (**insert county or city**)?

G Yes

G No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to enter into agreements to form a regional jail district and obligates the county **or city** to make payments from the tax authorized by this section the ballot shall contain substantially the following:

Shall the (**insert county or city**) of (county's **or city's** name) be authorized to enter into agreements for the purpose of forming a regional jail district and obligating the (**insert county or city**) to impose a (**insert countywide or citywide**) sales tax of (insert amount) to fund dollars of the costs to construct a regional jail and to fund the costs to operate a regional jail, with any funds in excess of that necessary to construct and operate such jail to be used for law enforcement purposes?

G Yes

G No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If the constitutionally required percentage of the voters voting thereon are in favor of the proposal submitted pursuant to subdivision (2) of this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If a proposal receives less than the required majority, then the governing body of the county **or city** shall have no power to impose the sales tax herein authorized unless and until the governing body of the county **or city** shall again have submitted another proposal to authorize the governing body of the county **or city** to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county **or city** from the tax authorized [under] **pursuant to** the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing law enforcement services for such county **or city** for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for providing law enforcement services for the county **or city**. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county **or city** funds.

5. All sales taxes collected by the director of revenue [under] **pursuant to** this section on behalf of any county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "County Law Enforcement Sales Tax Trust Fund". The moneys in the county law enforcement sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of

the state. The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax [under] **pursuant to** this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county law enforcement sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the fund for any law enforcement functions authorized in the ordinance or order adopted by the governing body submitting the law enforcement tax to the voters.

6. All sales taxes collected by the director of revenue pursuant to this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Law Enforcement Sales Tax Trust Fund". The moneys in the city public safety sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and from which city the amounts were collected, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the city public safety sales tax trust fund shall be by appropriation by the governing body of each such city. Expenditures may be made from the fund for any law enforcement functions authorized in the ordinance or order adopted by the governing body submitting the law enforcement tax to the voters.

[6.] **7.** The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust [fund] **funds created in this section** and credited to any county **or city** for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties **or cities**. If any county **or city** abolishes the tax, the county **or city** shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the **appropriate county or city** trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county **or city**, the director of revenue shall remit the balance in the account to the county **or city** and close the account of that county **or city**. The director of revenue shall notify each county **or city** of each instance of any amount refunded or any check redeemed from receipts due the county **or city**.

[7.] **8.** Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed [under] **pursuant to** this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hoppe raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Parker, **House Amendment No. 12** was adopted.

Representative Hosmer offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 161, Line 18, by adding at the end of said line the following:

“Notwithstanding any provision of law to the contrary, no county clerk or collector shall be provided additional compensation for the collection of taxes or payments in lieu of taxes for tax increment financing funds for municipalities.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Hosmer, **House Amendment No. 13** was adopted.

Representative Robirds offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 139, Section 260.210, Line 37, by inserting after all of said line the following:

"263.232. It shall be the duty of any person or persons, association of persons, corporations, partnerships, the state highways and transportation commission, any state department, any state agency, the county commissions, the township boards, school boards, drainage boards, the governing bodies of incorporated cities, railroad companies and other transportation companies or their authorized agents and those supervising state-owned lands to control the spread of and to eradicate by methods approved by the state department of agriculture cut-leaved teasel (*Dipsacus laciniatus*), common teasel (*Dipsacus fullonum*) and kudzu vine (*Pueraria lobata*) which are hereby designated as noxious and dangerous weeds to agriculture."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Robirds, **House Amendment No. 14** was adopted.

Representative Bray offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 119, Section 144.761, Line 31, by inserting immediately after said line the following:

“144.815. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 66.600 to 66.635, RSMo, sections 67.500 to 67.545, 67.547, 67.581, 67.582, 67.671 to 67.685, 67.700 to 67.729, 67.730 to 67.739, 67.782, RSMo, sections 92.400 to 92.420, RSMo, sections 94.500 to 94.570, 94.600 to 94.655, 94.700 to 94.755, RSMo, and sections 144.010 to 144.510 and 144.600 to 144.745, and from the computation of the tax levied, assessed or payable pursuant to sections 66.600 to 66.635, RSMo, sections 67.500 to 67.545, 67.547, 67.581, 67.582, 67.671 to 67.700 to 67.729, 67.730 to 67.739, 67.782, RSMo, sections 92.400 to 92.420, RSMo, sections 94.500 to 94.570, 94.600 to 94.655, 94.700 to 94.755, RSMo, and sections 144.010 to 144.510 and 144.600 to 144.745, purchases of bullion and investment coins. For purposes of this section the following terms shall mean:

(1) “Bullion”, gold, silver, platinum or palladium in a bulk state, where its value depends on its content rather than its form, with a purity of not less than nine hundred parts per one thousand; and

(2) “Investment coins”, numismatic coins or other forms of money and legal tender manufactured of gold, silver, platinum, palladium or metals with a fair market value greater than the face value of the coins.”; and

Further amend the title and enacting clause accordingly.

Representative Lograsso raised a point of order that **House Amendment No. 15** is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Bray, **House Amendment No. 15** was adopted.

Representative Backer offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 150, Section 1, Lines 5-31, by striking all of said lines.

Representative Crump moved the previous question on the motion to adopt **House Amendment No. 16**.

Which motion was adopted by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	George	Graham 24	Gratz
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 070

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Cierpiot	Crawford
Dolan	Enz	Evans	Foster	Gaskill
Gibbons	Graham 106	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kelley 47	King	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	McClelland	Murphy
Myers	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Burton	Elliott	Green	Kasten	Miller
Naeger	Stokan			

VACANCIES: 002

Representative Backer moved that **House Amendment No. 16** be adopted.

Which motion was defeated by the following vote:

AYES: 040

Abel	Auer	Backer	Barry 100	Berkowitz
Bray 84	Campbell	Clayton	Crump	Davis 122
Davis 63	Dougherty	Foley	Franklin	Fraser
Gambaro	Graham 24	Hagan-Harrell	Harlan	Hegeman
Hilgemann	Hohulin	May 108	Mays 50	McBride
McLuckie	Ostmann	Ransdall	Relford	Riley
Rizzo	Scheve	Schilling	Shelton	Skaggs
Smith	Van Zandt	Wiggins	Williams 159	Wilson 25

NOES: 102

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Britt	Champion
Chrismer	Cierpiot	Crawford	Curls	Dolan
Enz	Evans	Farnen	Fitzwater	Ford
Foster	Froelker	Gaskill	George	Gibbons
Graham 106	Griesheimer	Gross	Gunn	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hendrickson	Hickey
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Kreider	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	McClelland	McKenna	Merideth
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Parker
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Reynolds	Ridgeway	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Summers	Surface	Thompson	Townley
Troupe	Tudor	Vogel	Wagner	Ward
Wright	Mr. Speaker			

PRESENT: 005

Boykins	Brooks	Patek	Williams 121	Wilson 42
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ABSENT WITH LEAVE: 014

Burton	Days	Elliott	Gratz	Green
Kasten	Koller	Lakin	Lawson	Miller
Richardson	Sallee	Stokan	Treadway	

VACANCIES: 002

Representative Schilling offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 139, Section 260.210, Line 37, by adding an additional section thereto, as follows:

“All corrective action plans approved by the department pursuant to chapter 260.350 through 260.430 shall require the department, upon notice by the owner or operator that the approved plan has been completed, to verify within 90 days that the corrective action plan has been complied with and completed. The department shall issue a letter within 30 business days to the owners or operators certifying the completion and compliance.”.

On motion of Representative Schilling, **House Amendment No. 17** was adopted.

Representative Gibbons offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 73, Section 135.481, Line 17 of said page, by inserting after said line the following:

“Section 1. Notwithstanding any provision of law to the contrary, in any dispute regarding the liability of a taxpayer for collection and remittance or payment of income, franchise, sales or use tax due on a particular type of transaction, the director of revenue shall consider whether tax has been previously collected and remitted or paid on such type of transaction by other taxpayers within the same or similar type of business or profession in this state and shall consider such information when determining the amount of tax due from the taxpayer. If the director of revenue or the administrative hearing commission determines tax has not been previously collected and remitted or paid by other taxpayers within the same or similar type of business or profession on the transaction in question, the director or the administrative hearing commission may abate previous taxes, interest and penalty related to such transaction and the taxpayer shall be liable to collect and remit or pay taxes in a prospective manner, beginning from the date of the final determination of same by the director of revenue.”;
and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Hoppe raised a point of order that **House Amendment No. 18** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Gibbons, **House Amendment No. 18** was adopted.

Representative O'Toole offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, Page 73, Section 135.481, Line 17, by inserting after all of said line the following:

“135.484. 1. Beginning January 1, 2000, tax credits shall be allowed pursuant to section 135.481 in an amount not to exceed sixteen million dollars per year. Of this total amount of tax credits in any given year, eight million dollars shall be set aside for projects [involving eligible residences] in areas described in subdivision (6) of section 135.478 and eight million dollars for projects [involving qualifying residences] in areas described in subdivision (10) of section 135.478. The maximum tax credit for a project consisting of multiple- unit qualifying residences in a distressed community shall not exceed three million dollars.

2. Any amount of credit which exceeds the tax liability of a taxpayer for the tax year in which the credit is first claimed may be carried back to any of the taxpayer's three prior tax years and carried forward to any of the taxpayer's five subsequent tax years. A certificate of tax credit issued to a taxpayer by the department may be assigned, transferred, sold or otherwise conveyed. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit and the value of the credit.

3. The tax credits allowed pursuant to sections 135.475 to 135.487 may not be claimed in addition to any other state tax credits, with the exception of the historic structures rehabilitation tax credit authorized pursuant to sections

253.545 to 253.559, RSMo, which insofar as sections 135.475 to 135.487 are concerned may be claimed only in conjunction with the tax credit allowed pursuant to subsection 4 of section 135.481. In order for a taxpayer eligible for the historic structures rehabilitation tax credit to claim the tax credit allowed pursuant to subsection 4 of section 135.481, the taxpayer must comply with the requirements of sections 253.545 to 253.559, RSMo, and in such cases, the amount of the tax credit pursuant to subsection 4 of section 135.481 shall be limited to the lesser of twenty percent of the taxpayer's eligible costs or forty thousand dollars.

135.403. 1. Any investor who makes a qualified investment in a Missouri small business shall be entitled to receive a tax credit equal to forty percent of the amount of the investment or, in the case of a qualified investment in a Missouri small business in a distressed community as defined by section 135.530, a credit equal to sixty percent of the amount of the investment, and any investor who makes a qualified investment in a community bank or a community development corporation shall be entitled to receive a tax credit equal to fifty percent of the amount of the investment if the investment is made in a community bank or community development corporation for direct investment [into a targeted area as defined in section 135.400]. The total amount of tax credits available for qualified investments in Missouri small businesses shall not exceed thirteen million dollars and at least four million dollars of the amount authorized by this section and certified by the department of economic development shall be for investment in Missouri small businesses in distressed communities. Authorization for all or any part of this four million dollar amount shall in no way restrict the eligibility of Missouri small businesses in distressed communities, as defined in section 135.530, for the remaining amounts authorized within this section. No more than twenty percent of the tax credits available each year for investments in community banks or community development corporations for direct investment [into a targeted area] shall be certified for any one project, as defined in section 135.400. The tax credit shall be evidenced by a tax credit certificate in accordance with the provisions of sections 135.400 to 135.430 and may be used to satisfy the state tax liability of the owner of the certificate that becomes due in the tax year in which the qualified investment is made, or in any of the ten tax years thereafter. When the qualified small business is in a distressed community, as defined in section 135.530, the tax credit may also be used to satisfy the state tax liability of the owner of the certificate that was due during each of the previous three years in addition to the year in which the investment is made and any of the ten years thereafter. No investor may receive a tax credit pursuant to sections 135.400 to 135.430 unless that person presents a tax credit certificate to the department of revenue for payment of such state tax liability. The department of revenue shall grant tax credits in the same order as established by subsection 1 of section 32.115, RSMo. Subject to the provisions of sections 135.400 to 135.430, certificates of tax credit issued in accordance with these sections may be transferred, sold or assigned by notarized endorsement thereof which names the transferee.

2. [The amount of qualified investments which can be made is limited so that the aggregate of all tax credits authorized pursuant to the provisions of sections 135.400 to 135.430 shall not exceed nineteen million dollars. Six million] **Five hundred thousand** dollars in tax credits shall be available **annually from the total amount of tax credits authorized by section 32.110 and subdivision 4 of subsection 2 of section 32.115** as a result of investments in community banks or community development corporations. Aggregate investments eligible for tax credits in any one Missouri small business shall not be more than one million dollars. Aggregate investments eligible for tax credits in any one Missouri small business shall not be less than five thousand dollars as of the date of issuance of the first tax credit certificate for investment in that business.”; and

Further amend said bill, Page 18, Section 135.516, Line 19, by inserting after all of said line the following:

“[135.766. An eligible small business, as defined in Section 44 of the Internal Revenue Code, shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to any amount paid by the eligible small business to the United States Small Business Administration as a guaranty fee pursuant to obtaining Small Business Administration guaranteed financing and to programs administered by the United States Department of Agriculture for rural development or farm service agencies.]”; and

Further amend said bill, Page 161, Section E, by inserting the following after all of said line:

“620.1039. 1. As used in this section, the term "taxpayer" means an individual, a partnership, or a corporation as described in section 143.441, 143.471, RSMo, or section 148.370, RSMo, and the term "qualified research expenses" has the same meaning as prescribed in 26 U.S.C. 41.

2. **For tax years beginning on or after January 1, [1994,] 2001, the director of the department of economic development may authorize a taxpayer [may be allowed] to receive a tax credit against the tax otherwise due pursuant**

to chapter 143, RSMo, or chapter 148, RSMo, other than the taxes withheld pursuant to sections 143.191 to 143.265, RSMo,[if approved by the director of the department of economic development,] in an amount up to six and one-half percent of the excess of the taxpayer's qualified research expenses, as certified by the director of the department of economic development, within this state during the taxable year over the average of the taxpayer's qualified research expenses within this state over the immediately preceding three taxable years; except that, no tax credit shall be allowed on that portion of the taxpayer's qualified research expenses incurred within this state during the taxable year in which the credit is being claimed, to the extent such expenses exceed two hundred percent of the taxpayer's average qualified research expenses incurred during the immediately preceding three taxable years. [In order to receive a tax credit pursuant to this section, certification by the director of the department of economic development shall be required as proof that the taxpayer made qualified research expenses during the taxable year.]

3. The director of economic development shall prescribe the manner in which the tax credit may be [claimed] **applied for**. The tax credit [allowed] **authorized** by this section may be claimed by the taxpayer to offset the tax liability imposed by chapter 143, RSMo, or chapter 148, RSMo, that becomes due in the tax year during which such qualified research expenses were incurred. Where the amount of the credit exceeds the tax liability, the difference between the credit and the tax liability may only be carried forward for the next five succeeding taxable years or until the full credit has been claimed, whichever first occurs. The application for [claiming] tax credits [allowed in] **authorized by the director pursuant to** subsection 2 of this section shall be made [in] **no later than the end of** the taxpayer's tax period immediately following the tax period for which the credits are being claimed. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536, RSMo. The provisions of this section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

[4.] **6.** The aggregate of all tax credits authorized pursuant to this section shall not exceed [ten] **nine** million **seven hundred thousand** dollars in any [taxable] year.

Section F. Sections 135.403 and 620.1039 will become effective on January 1, 2001.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative O'Toole, **House Amendment No. 19** was adopted.

Representative Auer assumed the Chair.

Representative Crump moved the previous question on the motion to adopt **HS HCS SCS SB 894, as amended**.

Which motion was adopted by the following vote:

AYES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall

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Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 069

Alter	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Champion	Chrismer	Cierpiot	Crawford	Dolan
Enz	Evans	Foster	Froelker	Gaskill
Gibbons	Graham 106	Griesheimer	Gross	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Holand	Howerton	Kelley 47	King	Klindt
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	McClelland	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Akin	Burton	Elliott	Green	Kasten
Marble	Miller	Stokan	Troupe	Vogel

VACANCIES: 002

Representative Shields requested verification of the roll call on the adoption of the previous question.

On motion of Representative Hoppe, **HS HCS SCS SB 894, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS SCS SB 894, as amended**, was read the third time and passed by the following vote:

AYES: 144

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Fraser	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Purgason	Ransdall	Reid	Reinhart

Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Treadway	Tudor	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 007

Campbell	Franklin	Kelly 27	Lawson	Murphy
Pryor	Van Zandt			

PRESENT: 000

ABSENT WITH LEAVE: 010

Burton	Elliott	Froelker	Green	Kasten
Miller	Sallee	Stokan	Townley	Troupe

VACANCIES: 002

Representative Auer declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kennedy	Kissell	Klindt	Koller
Kreider	Lakin	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murray	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Treadway
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 013

Burton
King
Stokan

Elliott
Lawson
Townley

Green
Miller
Troupe

Kasten
Murphy

Kelly 27
Naeger

VACANCIES: 002

On motion of Representative Hickey, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Fraser moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SS#3 SJR 35, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 542, as amended**, and has taken up and passed **HS HCS SCS SB 542, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SB 902, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1085**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HBs 1566 & 1810**, entitled:

An act to repeal sections 71.794, 135.355, 135.408, 135.411, 135.423, 178.892, 620.017, 620.470 and 620.474, RSMo 1994, sections 32.105, 32.110, 67.1401, 67.1461, 135.400, 135.403, 135.430, 135.481, 135.484, 135.766, 260.285, 348.300, 348.302, 348.430, 348.432, 447.708, 620.1039, 620.1400, 620.1420, 620.1430, 620.1440, 620.1450 and 620.1560, RSMo Supp. 1999, sections 135.200 and 135.535, as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, section 135.535 as enacted by conference committee substitute no. 2 for house substitute for house committee substitute for senate bill no. 20, ninetieth general assembly, first regular session, section 135.200 as enacted by senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1656, eighty-ninth general assembly, second regular session, and section 135.200 as enacted by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session, relating to tax credit programs administered by the department of economic development, and to enact in lieu thereof thirty-eight new sections relating to the same subject, with an effective date and an emergency clause for certain sections.

With Senate Amendment No. 1, Part I of Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 18, Senate Amendment No. 19, Senate Amendment No. 20, Senate Amendment No. 21, Senate Amendment No. 22, Senate Amendment No. 23, Senate Amendment No. 24, Senate Amendment No. 27, Senate Amendment No. 28, Senate Amendment No. 29, Senate Amendment No. 30, Senate Amendment No. 31, Senate Amendment No. 32, Senate Amendment No. 33, Senate Amendment No. 34, Senate Amendment No. 36, Senate Amendment No. 39, Senate Amendment No. 40, Senate Amendment No. 41, Senate Amendment No. 42, Senate Amendment No. 43, Senate Amendment No. 45, Senate Amendment No. 46, Senate Amendment No. 47

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 16, Section 67.1461, Line 18 of said page, by inserting after the word “**county**” the following: “, **to**”.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 11, Section 32.110, Line 5, by inserting immediately after said line the following:

“67.478. Sections 144.757 to 144.761, RSMo, and sections 67.478 to 67.493 shall be known and may be cited as the “Community Comeback Act”.

67.481. As used in sections 144.757 to 144.761, RSMo, and sections 67.478 to 67.493, the following terms mean:

(1) **“Community comeback plan” and “plan”, a comprehensive countywide plan adopted by the community comeback trust board and the governing body of the county that identifies potential areas for reinvestment, projects and strategies to promote neighborhood reinvestment throughout the county, and that clearly identifies on a map the priority comeback communities. The plan shall be a five-year strategic and operating plan, complete with goals, objectives, targets and mechanisms or methods of measuring accomplishments, revised annually;**

(2) **“Community comeback trust program” or “program”, projects and strategies to promote neighborhood reinvestment through out the county including the creation of a community comeback trust board and a community comeback trust fund;**

(3) **“Community comeback trust fund” and “trust fund”, a fund held in the treasury of the county which shall be the repository for all taxes and other moneys raised pursuant to sections 144.757 to 144.761, RSMo, and sections 67.478 to 67.493, and authorized by the governing body of the county for the purposes of promoting neighborhood reinvestment;**

(4) **“Community comeback trust board” and “board”, the entity established pursuant to sections 67.478 to 67.493 that is responsible for administering the comeback community program trust fund and community comeback trust program;**

(5) **“Community comeback trust citizen advisory committee” and “advisory committee”, an eleven-member committee established pursuant to sections 67.478 to 67.493 that is responsible for advising the community comeback fund board on the best methods of promoting neighborhood reinvestment;**

(6) **“Eligible expenses”, costs qualified for funding from the community comeback trust fund which are:**

(a) **Incurred for the purchase, assembly, clearance, demolition and environmental remediation of land, structures and facilities, public or private, either as part of a neighborhood reinvestment project or to prepare sites for future use in areas with underutilized, derelict, economically challenged or environmentally troubled sites;**

(b) **Related to planning, redesign, clearance, reconstruction, structure rehabilitation, site remediation,**

construction, modification, expansion, remodeling, structural alteration, replacement or renovation of any structure in a priority comeback community;

(c) Expended for capital improvements or infrastructure improvements to facilitate economic development;

(d) Expended for residential redevelopment including, but not limited to, buyouts, land-assembly costs, infrastructure improvements and costs associated with preparing sites for housing construction; professional service expenses such as architectural, planning, engineering, design, marketing or other related expenses;

(e) Related to community improvement district or special business district expenses such as facade improvements, landscaping, street lighting, sidewalk construction, trash receptacles, park benches and other public improvements;

(f) Expenses related to facilitating transit-oriented developments, home improvement and home buyer loan programs; and

(g) Expenses eligible for funding through the select neighborhood action program;

(7) "Neighborhood reinvestment project" and "project", the planning, development, redesign, clearance, reconstruction or rehabilitation or any combination thereof in order to improve those residential, commercial, industrial, public or other structures or spaces and the infrastructure serving them as may be appropriate or necessary in the interest of the general welfare;

(8) "Petition", a petitioner's request for funding made to the community comeback trust board;

(9) "Petitioner", the governing body of any municipality, the governing body of the county, any land clearance for redevelopment authority within the county organized pursuant to chapter 99, RSMo, or any not-for-profit economic development organization with a governing board with at least two thirds of the members of such board appointed by the chief elected official of the county or by one or more organizations with governing boards which are appointed by such chief elected official;

(10) "Priority comeback community", an area in a county which encompasses an entire United States census block group and has a median household income below the median household income for such entire county;

(11) "Priority comeback project", a funding proposal submitted to a community comeback trust board by a petitioner whose area is substantially within a priority comeback community;

(12) "Proposal", a petitioner's funding request for the eligible expenses of a neighborhood reinvestment project submitted to a community comeback trust board by a petitioner;

(13) "Select neighborhood action program" and "SNAP", a grant program, administered and funded pursuant to subsection 5 of section 67.490;

(14) "Select neighborhood action program applicant" and "SNAP applicant", a neighborhood organization or not-for-profit organization whose mission is consistent with the community comeback plan. The organization shall have a municipal sponsor or a county sponsor if the area is unincorporated. The organization shall have been in existence for at least six months and meet at least once a year in order to be eligible for a SNAP grant;

(15) "SNAP grant", an endowment of money by the board to a SNAP applicant pursuant to subsection 5 of section 67.490.

67.484. 1. A community comeback trust program may be created, incorporated and managed pursuant to this section by any county of the first classification with a charter form of government and a population of at least nine hundred thousand inhabitants according to the last decennial census, and may exercise the powers given to such board pursuant to sections 67.478 to 67.493. The board may sue and be sued, issue general revenue bonds and receive county use tax revenue pursuant to the limitations of this section. The board shall have as its primary duties the prevention of neighborhood decline, the demolition of old deteriorating and vacant buildings, rehabilitating historic structures, the cleaning of polluted sites and the promotion of neighborhood reinvestment where such investment is essential to reverse or stabilize a stagnant or declining pattern in household income, assessed values, occupancies and related characteristics.

2. The governing body of the county is hereby authorized to impose by ordinance a local use tax pursuant to sections 144.757 to 144.761, RSMo, for the purpose of funding the creation, operation and maintenance of a community comeback trust program, as well as to provide revenue to the county and municipalities authorized to receive moneys generated by said tax pursuant to section 144.759, RSMo. The governing body of the county enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing the tax. Such ordinance shall become effective only after the majority of the voters voting on such

ordinance approve such ordinance. The question shall be submitted to the voters in the county pursuant to section 144.757, RSMo.

3. (1) The community comeback trust board shall be composed of seven members as provided in this subsection. No member shall be an elected official, employee or contractor of the county or any municipality within the county or of any organization representing the county or any municipality within the county. Board members shall be citizens of the United States and shall reside within the county. No two members of the board shall be residents of the same county council district of such county. No member shall receive compensation for performance of board duties. No member shall be financially interested directly or indirectly in any contract entered into by the board or by any petitioner. In the event that any property owned by a board member or the immediate family member of such board member is located in a priority comeback community, the member shall disclose such information to the board and abstain from any formal or informal actions regarding any project in that neighborhood.

(2) The chief elected official of any municipality wholly within the county and any member of the governing body of the county shall nominate individuals to serve on the board by providing a list of nominees to the county executive who shall appoint the members. Of the total members, at least four shall be residents of municipalities within the county and at least one shall have each of the following professions: a professional architect or engineer; an urban planner or design professional; a developer or builder; and an accountant or an attorney.

(3) The seat of a board member shall be automatically vacated when the board member changes his or her residence so as to no longer conform to the terms of the requirements of the board member's appointment. The board shall promptly notify the county executive of such a change of residence, the pending expiration of any board member's term, any board member's need to vacate his or her seat or any vacancy on the board. A board member whose term has expired shall continue to serve until the successor is appointed and qualified.

(4) Upon the passage of an ordinance by the governing body of the county establishing the community comeback trust program, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected officials of each municipality wholly in the county.

(5) Each of the nominating authorities described in subdivision (2) of this subsection shall, within forty-five days of the passage of the ordinance establishing the program or within fourteen days of being notified of a board vacancy by the county executive, submit its list of nominees to the county executive. The county executive shall appoint members within sixty days of the passage of the ordinance or within thirty days of being notified by the board of a vacancy on the board. If a list of nominees is not submitted by the time specified, the county executive shall appoint the members using the criteria set forth in this section.

(6) At the first meeting of the board appointed after the effective date of the ordinance, the members shall choose by lot the length of their terms. Three shall serve for one year, two for two years, and two for three years. All succeeding members shall serve terms of three years. Terms shall end on December thirty-first of the respective year. No member shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

4. The board, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498, RSMo, and to the requirements for open meetings and records pursuant to chapter 610, RSMo. The board shall enact and adopt all rules, regulations and procedures that are reasonably necessary to achieve the objectives of sections 67.478 to 67.493, and not inconsistent therewith, no sooner than twenty-seven calendar days after notifying all municipalities and the county of the proposed rule, regulation or procedure enactment or change. Notice may be given by ordinary mail, electronic mail or by publishing in at least one newspaper of general circulation qualified to publish legal notices. No new or amended rule, regulation or procedure shall apply retroactively to any proposal pending before the board without the agreement of the petitioner. The board shall have the exclusive control of the expenditures of all money collected to the credit of the trust fund, subject to annual appropriations by the governing body of the county. The county government shall provide the program staff. No more than five percent of the program's annual budget shall be used for the program's annual administrative expenses.

5. The board is authorized to issue bonds, notes or other obligations for any proposal, and to refund such bonds, notes or obligations, as provided in subsection 3 of this section; and to receive and liquidate property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district. The trust shall not have any power of eminent domain.

6. (1) Bonds issued pursuant to this section shall be issued pursuant to a resolution adopted by five-sevenths of the board which shall set out the estimated cost of the proposed improvements, and shall further set out the amount of the bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection with such bonds. Any such bonds may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution.

(2) Notwithstanding the provisions of section 108.170, RSMo, such bonds shall bear interest at rate or rates determined by the board, shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of such bonds. Bonds issued by the board shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

(3) Such bonds may be payable to the bearer, may be registered or coupon bonds, and, if payable to bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing such bonds, which resolution may also provide for the exchange of registered and coupon bonds. Such bonds and any coupons attached thereto shall be signed in such manner and by such officers of the district as may be provided by the resolution authorizing the bonds. The board may provide for the replacement of any bond which has become mutilated, destroyed or lost.

(4) Bonds issued by the board shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the trust fund, including revenues derived from use taxes. Neither the board members nor any person executing the bonds shall be personally liable on such bonds by reason of the issuance of such bonds. Bonds issued pursuant to this section shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any such obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets managed by the board to the credit of the trust fund. The issuance of bonds pursuant to this section shall not directly, indirectly or contingently obligate this state or any political subdivision of this state to levy any form of taxation for such bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section shall contain on its face a statement to the effect that the board shall not be obligated to pay such bond nor interest on such bond except from the revenues received by the board or assets of trust lawfully pledged for such trust fund, and that neither the faith or credit nor the taxing power of this state or of any political subdivision of this state is pledged to the payment of the principal of or the interest on such obligation or bond. The proceeds of such bonds shall be disbursed in such manner and pursuant to such restrictions as the board may provide in the resolution authorizing the issuance of such bonds.

(5) The board may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of such bonds then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities or land to be acquired, leased or subleased by the board, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on such bonds to the date of such refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of such refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

(6) In the event that any of the members or officers of the board whose names appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of such bonds, such signatures shall remain valid and sufficient for all purposes, the same as if such board members or officers had remained in office until such delivery.

(7) The board is hereby declared to be performing a public function and bonds of the board are declared to be issued for an essential public and governmental purpose, and, accordingly, interest on such bonds and income from such bonds shall be exempt from income taxation by this state. All purchases in excess of ten thousand dollars shall be made pursuant to the lowest and best bid standard as provided in section 34.040, RSMo, or pursuant to the lowest and best proposal standard as provided in section 34.042, RSMo. The board shall have the same discretion, powers and duties as the commissioner of administration has in sections 34.040 and 34.042, RSMo.

67.487. 1. Within fourteen days of the first meeting of the first board appointed following the effective date of the ordinance, the board shall notify by mail the chief elected officials of all municipalities wholly within

the county, the chief elected official of the county and all the members of the governing body of the county of the requirement to conduct a planning process and adopt a community comeback plan.

2. The board shall solicit full citizen, county and municipal involvement in developing the plan. The board shall conduct public hearings throughout the county to seek input regarding the plan, and may convene meetings with the appropriate staff of the county and municipalities in order to seek input and to coordinate the logistics of producing the plan. A copy of the plan shall be sent to the chief elected official of every municipality wholly within the county, the chief elected official of the county and each member of the governing body of the county.

3. The board and the governing body of the county shall annually revise and adopt a plan.

4. Each plan shall include a map of the county, as well as a text enumerating the efforts expected each year in the various subregions of the county. Each plan shall address the factors that are causing or are likely to cause one or more of the following:

- (1) Assessed values below the county average;
 - (2) Median household incomes below the county median;
 - (3) An unemployment rate above the county average;
 - (4) A reduction in the number of jobs with an emphasis upon those jobs paying average or above average salaries;
 - (5) Failure to keep pace with the average growth rate in home values in the metropolitan area or county;
- and

(6) A high vacancy rate among residential, commercial and industrial properties.

5. Each plan shall include an analysis of the condition of the housing stock in the various subregions of the county, a market analysis of the home-buying market with a focus on the impediments to attracting home buyers to those subregions and an analysis of the physical infrastructure needs that prevent economic growth.

6. The board may consider the following factors when determining the appropriate areas and strategies for investment:

- (1) Buildings that are unsafe or unhealthy for occupancy due to code violations, dilapidation, defective design, faulty utilities or any other negative conditions;
- (2) Factors that prevent or substantially hinder the economically viable use of buildings or lots, such as substandard design, inadequate size, lack of parking or any other conditions;
- (3) Incompatible uses that prevent economic development;
- (4) Subdivided lots of irregular form and shape and inadequate size for proper usefulness that have multiple ownership;
- (5) Depreciated or stagnant property values, including properties that contain hazardous wastes;
- (6) Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots within an area developed for urban use and served by utilities;
- (7) The existence of conditions that are not conducive to public safety; and
- (8) The lack of necessary commercial facilities normally found in neighborhoods.

7. Each plan shall outline specific strategies to address the problems facing the various subregions and neighborhoods within the county. The plan shall also discuss the partnerships that can be made with federal, state and local governments, as well as businesses, labor organizations, nonprofit groups, religious and other groups and citizens to help implement the plan. These strategies shall include estimated costs and time lines for completion.

8. The board shall produce an annual report focusing on the accomplishments of the program relative to the goals set forth in the plan, the goals for the next year and the challenges facing the board. The annual report shall be given to the chief elected officials of all the municipalities wholly within the county, the chief elected official of the county, the members of the governing board of the county and the public libraries within the county, and shall be posted on the county Internet web site.

9. Every year, the board shall commission an independent financial audit, the report of which shall be distributed in the same manner as the annual report pursuant to subsection 8 of this section.

10. Every five years, the board shall commission an independent management audit. The management audit shall include a comprehensive analysis of development trends, factors and practices along with specific recommendations to improve the board's ability to achieve its mission. The management audit shall be reviewed by the advisory committee which may offer constructive advice on enhancing practices in order to achieve the goals of the program. The management audit shall be distributed in the same manner as the annual report pursuant to subsection 8 of this section. The board is authorized to take any necessary and proper steps to

address the issues and recommendations contained within the management audit.

11. (1) The board shall establish an eleven member advisory committee that shall meet four times each year and shall advise petitioners, staff and the board. The advisory committee members shall be appointed by the county executive. At least six of the advisory committee's members shall be nominated by a not-for-profit organization which is primarily concerned with the affairs of the local governments within the county and at least three shall be nominated by the members of the governing body of the county. No advisory committee member shall receive compensation for performance of duties as a committee member.

(2) At least one of the advisory committee members shall be a university professor well-versed in regional development issues. At least two of the advisory committee members shall be municipal officials from communities that have undertaken redevelopment programs as part of larger planning efforts. At least one of the advisory committee members shall be an attorney with experience in redevelopment activities. At least two of the advisory committee members shall be residents of priority comeback communities who have been active in advocating effective redevelopment policies. At least one of the advisory committee members shall be a private professional familiar with the factors influencing business location decisions. At least one of the advisory committee members shall be an individual familiar with education and training practices and workforce needs, with an understanding of how labor availability impacts business location decisions. At least one of the advisory committee members shall be a planner from the private sector knowledgeable in the area of strategic planning and the principles of multiyear rolling plans.

(3) The advisory committee shall promptly notify the county executive of the pending expiration of any member's term or any vacancy on the advisory committee. A member whose term has expired shall continue to serve until his or her successor is appointed and qualified.

(4) The board shall establish the advisory committee by resolution at the board's first meeting. The board shall, within ten days of the passage of the resolution establishing the advisory committee, send by United States mail written notice of the passage of the resolution to a not-for-profit organization which is primarily concerned with the affairs of the local governments and the members of the governing body of the county. The not-for-profit organization which is primarily concerned with the affairs of the local governments and the members of the governing board of the county shall, within forty-five days of the passage of the resolution establishing the advisory committee or within fourteen days of being notified of a vacancy by the county executive, submit its list of nominees to the county executive. The county executive shall appoint members within sixty days of the passage of the resolution or within thirty days of being notified by the committee of a vacancy on the advisory committee. If a list of nominees is not submitted by the time specified, the county executive shall appoint the members using the criteria set forth in this section before the sixtieth day from the passage of the resolution or before the thirtieth day from being notified of a vacancy on the existing advisory committee.

(5) At the advisory committee's first meeting, the members shall choose by lot the length of their terms. Two shall serve for one year, three for two years, three for three years and three for four years. All succeeding committee members shall serve for four years. Terms shall end on December thirty-first of the respective year.

(6) The committee members shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498, RSMo, and to the requirements for open meetings and records pursuant to chapter 610, RSMo.

67.490. 1. The board shall in a timely manner adopt rules setting forth basic guidelines for acceptance and evaluation of petitions, including a common understandable format, as well as appropriate supporting material, maps, plans and data. The board shall begin to accept petitions one month after the adoption of the plan by the governing body of the county pursuant to section 67.487. The board shall review all petitions submitted by any petitioner. Review shall begin no later than thirty days after submission of the petition to the commission. In order to qualify as a proposal, a petition shall address the criteria set forth in subsection 4 of this section. For the purposes of this subsection, the term "pending" means any proposal submitted to the board which has not yet been approved by the board.

2. When practical, a petition shall be initially submitted to the advisory committee for constructive review and comment in a manner likely to result in a proposal that addresses a strategy outlined in the plan.

3. The board shall hold a public hearing concerning the petition, which may be on the same day as a scheduled meeting of the board.

4. (1) In reviewing any petition for funding, the board shall first determine if funds are sought for eligible expenses for a neighborhood reinvestment project. If the petition seeks such funds, the board shall certify such petition as a proposal subject to further review unless the board finds that the petition seeks funds for expenses

that do not qualify as eligible expenses, or seeks funds for an endeavor other than a neighborhood reinvestment project. If the board finds that funds are sought for ineligible expenses or for an ineligible endeavor, the board need not take any further action and shall notify the petitioner in writing of all deficiencies that prevent the petition from being a proposal. If the board determines that there is a minor error or discrepancy in a petition, the board, with the petitioner's concurrence, may make such changes to the petition as are necessary to rectify the error that prevents the petition from being certified as a proposal subject to further review. Within six months of certification of a petition as a proposal, the board shall issue a finding approving or disapproving such proposal. In disapproving any proposal, the board shall issue a document indicating the reasons that the proposal was disapproved.

(2) If the board determines that a proposal is a priority comeback project consistent with the strategies and priorities set forth in the community comeback plan and that the project is well planned, realistic, creative, resourceful, benefits the local community and is cost-effective, then the board shall award funding. If the board determines that a proposal is a priority comeback project, but is inconsistent with the strategies and priorities in the community comeback plan, the board may award funding if it finds that the project is well planned, realistic, creative, resourceful, benefits the local community, is cost-effective and addresses the reinvestment needs of neighborhoods by one or more of the following:

- (a) Reducing or removing impediments to attracting home buyers;
- (b) Providing the necessary physical infrastructure needed to promote significant job growth;
- (c) Reducing or removing any such factor or factors that constitute an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use.

(3) If the board determines that a proposal, which is not a priority comeback project, is consistent with the strategies and priorities set forth in the community comeback plan and is well planned, realistic, creative, resourceful, benefits the local community and is cost-effective, the board may award funding if the board adds such proposal to the plan. If the board determines that a proposal, which is not a priority comeback project, is inconsistent with the strategies and priorities in the community comeback plan, the board may award funding if it finds that the project is well planned, realistic, creative, resourceful, benefits the local community, is cost-effective and addresses the reinvestment needs of neighborhoods by one or more of the following:

- (a) Reducing or removing impediments to attracting home buyers;
- (b) Providing the necessary physical infrastructure needed to promote significant job growth;
- (c) Reducing or removing any such factor or factors that constitute an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use.

(4) The board, the advisory committee and the staff of both may advise petitioners on issues related to petitions or proposals. The board may meet informally, subject to the requirements of chapter 610, RSMo, with representatives of potential petitioners with regard to future petitions and plans.

5. The board shall establish a select neighborhood action program. SNAP applicants shall provide a ten-percent cash or in-kind match to be eligible for a SNAP grant. Project categories eligible for SNAP grant funding shall be:

(1) Neighborhood beautification projects which enhance the appearance of the overall neighborhood. Such projects include, but are not limited to, tree and flower plantings, cleanups, entranceway landscaping, community gardens, public art and neighborhood identification signs/banners;

(2) Neighborhood organization or capacity projects which create or increase membership in a neighborhood organization promoting community betterment. Such projects include, but are not limited to, neighborhood newsletters, neighborhood marketing brochures, neighborhood meetings and special events, and technology such as web site development;

(3) Neighborhood-school partnership projects which benefit a school and the adjacent neighborhood. Involvement of both the school and the neighborhood in planning, implementation and maintenance must be substantiated. Partnership projects include, but are not limited to, youth and community programs that promote safety, culture or the environment and that are beneficial to both the school and the neighborhood;

(4) Capital purchase projects which include the acquisition of equipment or property. Such projects include, but are not limited to, land acquisition, playground equipment, bicycle racks and major supplies;

(5) Neighborhood improvement projects which benefit the local infrastructure in a neighborhood, and include construction of sidewalks or installation of street lights.

6. Project categories ineligible for SNAP grant funding shall be:

- (1) Projects accomplished in more than twelve months;

- (2) Projects that duplicate existing private or public programs;
- (3) Projects that require ongoing services, or requests to support continual operating budgets; and
- (4) Projects that conflict with the community comeback plan.

7. When making SNAP grant funding decisions, the board shall consider the level of neighborhood participation including the percentage of residents who are involved in planning and implementing the idea, the diversity of parties involved or that will benefit, and the amount of neighborhood opposition; the community benefit of the project, including the number of people who will benefit from the project and the overall quality of the project.

67.493. Of the funds available to the board, a minimum of five percent of the funds, not to exceed an unallocated balance of five hundred thousand dollars rolled over from the previous fiscal year, shall be set aside annually for the SNAP grant program. Of the remaining funds seventy-five percent calculated on a rolling three-year average shall be set aside for priority comeback projects. The balance of the funds shall be used to indirectly or directly benefit priority comeback communities or residents of those areas by utilizing such funds to:

(1) Promote job preparation and job creation in areas easily accessed by residents of priority comeback communities;

(2) Improve neighborhoods adjacent to priority comeback communities that are unlikely to be improved without such funding; and

(3) Abate through low-interest home improvement loan programs or similar mechanisms the functional or marketable obsolescence of any owner-occupied residential structure over twenty-five years old which is located within a census block group below one hundred ten percent of the median income level for the metropolitan statistical area for this state; provided that, there is a significant threat of economic decline within the area without intervention by the program.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 106, Section 260.1575, Line 5 of said page, by inserting after all of said line the following:

“Section 1. An economic development plan shall be prepared and submitted to the commission with any application for licensure pursuant to sections 313.800 to 313.850, RSMo. Such plan shall detail the revenue impact to the area in which the proposed facility is to be located, the jobs created by the proposed facility and other relevant factors to the economic development of the area proposed as the site for the facility. When determining where to locate a licensed excursion gambling boat, the commission shall give priority to those cities and counties where no current excursion gambling boat exists. The commission shall also give priority to the economic development plan required by this section.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 35, Section 67.1461, Line 9 of said page, by inserting after all of said line the following:

“135.100. As used in sections 135.100 to 135.150 the following terms shall mean:

(1) “Commencement of commercial operations” shall be deemed to occur during the first taxable year for which the new business facility is first available for use by the taxpayer, or first capable of being used by the taxpayer, in the revenue-producing enterprise in which the taxpayer intends to use the new business facility;

(2) “Existing business facility”, any facility in this state which was employed by the taxpayer claiming the credit in the operation of a revenue-producing enterprise immediately prior to an expansion, acquisition, addition, or

replacement;

(3) “Facility”, any building used as a revenue-producing enterprise located within the state, including the land on which the facility is located and all machinery, equipment and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;

(4) “New business facility”, a facility which satisfies the following requirements:

(a) Such facility is employed by the taxpayer in the operation of a revenue-producing enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of a revenue-producing enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of a revenue-producing enterprise, the portion employed by the taxpayer in the operation of a revenue-producing enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), (d) and (e) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 1983. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 1983, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 1983, or, if the facility is constructed, erected or installed by or on behalf of the taxpayer, such construction, erection or installation is commenced after December 31, 1983;

(c) If such facility was acquired by the taxpayer from another person or persons and such facility was employed immediately prior to the transfer of title to such facility to the taxpayer, or to the commencement of the term of the lease of such facility to the taxpayer, by any other person or persons in the operation of a revenue-producing enterprise, the operation of the same or a substantially similar revenue-producing enterprise is not continued by the taxpayer at such facility;

(d) Such facility is not a replacement business facility, as defined in subdivision (10) of this section; and

(e) The new business facility investment exceeds one hundred thousand dollars during the tax period in which the credits are claimed;

(5) “New business facility employee”, a person employed by the taxpayer in the operation of a new business facility during the taxable year for which the credit allowed by section 135.110 is claimed, except that truck drivers and rail and barge vehicle operators shall not constitute new business facility employees. A person shall be deemed to be so employed if such person performs duties in connection with the operation of the new business facility on:

(a) A regular, full-time basis; or

(b) A part-time basis, provided such person is customarily performing such duties an average of at least twenty hours per week; or

(c) A seasonal basis, provided such person performs such duties for at least eighty percent of the season customary for the position in which such person is employed;

(6) “New business facility income”, the Missouri taxable income, as defined in chapter 143, RSMo, derived by the taxpayer from the operation of the new business facility. For the purpose of apportionment as prescribed in this subdivision, the term “Missouri taxable income” means, in the case of insurance companies, direct premiums as defined in chapter 148, RSMo. If a taxpayer has income derived from the operation of a new business facility as well as from other activities conducted within this state, the Missouri taxable income derived by the taxpayer from the operation of the new business facility shall be determined by multiplying the taxpayer's Missouri taxable income, computed in accordance with chapter 143, RSMo, or in the case of an insurance company, computed in accordance with chapter 148, RSMo, by a fraction, the numerator of which is the property factor, as defined in paragraph (a) of this subdivision, plus the payroll factor, as defined in paragraph (b) of this subdivision, and the denominator of which is two:

(a) The property factor is a fraction, the numerator of which is the new business facility investment certified for the tax period, and the denominator of which is the average value of all the taxpayer's real and depreciable tangible personal property owned or rented and used in this state during the tax period. The average value of all such property shall be determined as provided in chapter 32, RSMo;

(b) The payroll factor is a fraction, the numerator of which is the total amount paid during the tax period by the taxpayer for compensation to persons qualifying as new business facility employees, as determined by subsection 4 of section 135.110, at the new business facility, and the denominator of which is the total amount paid in this state during the tax period by the taxpayer for compensation. The compensation paid in this state shall be determined as provided in chapter 32, RSMo. For the purpose of this subdivision, “other activities conducted within this state” shall include activities previously conducted at the expanded, acquired or replaced facility at any time during the tax period immediately prior to the tax period in which commencement of commercial operations occurred;

(7) “New business facility investment”, the value of real and depreciable tangible personal property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business facility, during the taxable year for which the credit allowed by section 135.110 is claimed, except that trucks, truck-trailers, truck semitrailers, rail vehicles, barge vehicles, aircraft and other rolling stock for hire, track, switches, barges, bridges, tunnels and rail yards and spurs shall not constitute new business facility investments. The total value of such property during such taxable year shall be:

- (a) Its original cost if owned by the taxpayer; or
- (b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The new business facility investment shall be determined by dividing by twelve the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the new business facility is in operation for less than an entire taxable year, the new business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period;

(8) “Office”, a regional, national or international headquarters, a telemarketing operation, a computer operation, an insurance company, a passenger transportation ticket/reservation system or a credit card billing and processing center. For the purposes of this subdivision, “headquarters” means the administrative management of at least four integrated facilities operated by the taxpayer or related taxpayer. An office, as defined in this subdivision, when established must create and maintain positions for a minimum number of twenty-five new business facility employees as defined in subdivision (5) of this section;

- (9) “Related taxpayer” shall mean:
 - (a) A corporation, partnership, trust or association controlled by the taxpayer;
 - (b) An individual, corporation, partnership, trust or association in control of the taxpayer; or
 - (c) A corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. For the purposes of sections 135.100 to 135.150, “control of a corporation” shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote; “control of a partnership or association” shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association; and “control of a trust” shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership shall be determined as provided in Section 318 of the U.S. Internal Revenue Code;

(10) “Replacement business facility”, a facility otherwise described in subdivision (4) of this section, hereafter referred to in this subdivision as “new facility”, which replaces another facility, hereafter referred to in this subdivision as “old facility”, located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first taxable year in which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:

(a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's or related taxpayer's taxable period immediately preceding the taxable year in which commencement of commercial operations occurs at the new facility; and

(b) The old facility was employed by the taxpayer or a related taxpayer in the operation of a revenue-producing enterprise and the taxpayer continues the operation of the same or substantially similar revenue-producing enterprise at the new facility. Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer's new business facility investment, as computed in subsection 5 of section 135.110, in the new facility during the tax period in which the credits allowed in sections 135.110, 135.225 and 135.235 and the exemption allowed in section 135.220 are claimed exceed one million dollars or, if less, two hundred percent of the investment in the old facility by the taxpayer or related taxpayer, and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two except that the total number of employees at the new facility exceeds the total number of employees at the old facility by at least twenty-five if an office as defined in subdivision (8) of this section is established by a revenue-producing enterprise other than a revenue-producing enterprise defined in paragraphs (a) to [(g)] **(m)** and [(i) to (l)] **(o) to (r)** of subdivision (11) of this section;

- (11) “Revenue-producing enterprise” means:
 - (a) Manufacturing activities classified as SICs 20 through 39;
 - (b) Agricultural activities classified as SIC 025;
 - (c) Rail transportation terminal activities classified as SIC 4013;

- (d) Motor freight transportation terminal activities classified as SIC 4231;
- (e) Public warehousing and storage activities classified as SICs 422 and 423 except SIC 4221, miniwarehouse warehousing and warehousing self-storage;
- (f) Water transportation terminal activities classified as SIC 4491;
- (g) Airports, flying fields, and airport terminal services classified as SIC 4581;
- (h) Wholesale trade activities classified as SICs 50 and 51;
- (i) Insurance carriers activities classified as SICs 631, 632 and 633;
- (j) Research and development activities classified as SIC 873, except 8733;
- (k) Farm implement dealer activities classified as SIC 5999;
- (l) Interexchange telecommunications services as defined in subdivision [(20)] **(24) or local exchange telecommunications services as defined in subdivision (13)** of section 386.020, RSMo, or training activities conducted by an interexchange telecommunications company as defined in [subdivision (19)] **subdivisions (23) and (30)** of section 386.020, RSMo;
- (m) Recycling activities classified as SIC 5093;
- (n) Office activities as defined in subdivision (8) of this section, notwithstanding SIC classification;
- (o) Mining activities classified as SICs 10 through 14;
- (p) Computer programming, data processing and other computer-related activities classified as SIC 737;
- (q) The administrative management of any of the foregoing activities; or
- (r) Any combination of any of the foregoing activities;

A revenue-producing enterprise which is identified by an SIC classification number includes enterprises with the corresponding classification number in the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget.

(12) “Same or substantially similar revenue-producing enterprise”, a revenue-producing enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced, sold, performed or conducted in the same or similar manner as in another revenue-producing enterprise;

(13) “SIC”, the **primary** standard industrial classification as such classifications are defined in the 1987 edition of the Standard Industrial Classification Manual as prepared by the Executive Office of the President, Office of Management and Budget. **For the purpose of this subdivision, “primary” means at least fifty percent of the activities so classified are performed at a new business facility during the taxpayer's tax period in which such tax credits are being claimed;**

(14) “Taxpayer”, an individual proprietorship, corporation described in section 143.441 or 143.471, RSMo, and partnership or an insurance company subject to the tax imposed by chapter 148, RSMo, or in the case of an insurance company exempt from the thirty-percent employee requirement of section 135.230, to any obligation imposed pursuant to section 375.916, RSMo.

[135.100. As used in sections 135.100 to 135.150 the following terms shall mean:

(1) “Commencement of commercial operations” shall be deemed to occur during the first taxable year for which the new business facility is first available for use by the taxpayer, or first capable of being used by the taxpayer, in the revenue-producing enterprise in which the taxpayer intends to use the new business facility;

(2) “Existing business facility”, any facility in this state which was employed by the taxpayer claiming the credit in the operation of a revenue-producing enterprise immediately prior to an expansion, acquisition, addition, or replacement;

(3) “Facility”, any building used as a revenue-producing enterprise located within the state, including the land on which the facility is located and all machinery, equipment and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;

(4) “New business facility”, a facility which satisfies the following requirements:

(a) Such facility is employed by the taxpayer in the operation of a revenue-producing enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of a revenue-producing enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of a revenue-producing enterprise, the portion employed by the taxpayer in the operation of a revenue-producing enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), (d) and (e) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 1983. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 1983, if the transfer of title to the taxpayer, the

transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 1983, or, if the facility is constructed, erected or installed by or on behalf of the taxpayer, such construction, erection or installation is commenced after December 31, 1983;

(c) If such facility was acquired by the taxpayer from another person or persons and such facility was employed immediately prior to the transfer of title to such facility to the taxpayer, or to the commencement of the term of the lease of such facility to the taxpayer, by any other person or persons in the operation of a revenue-producing enterprise, the operation of the same or a substantially similar revenue-producing enterprise is not continued by the taxpayer at such facility;

(d) Such facility is not a replacement business facility, as defined in subdivision (10) of this section; and

(e) The new business facility investment exceeds one hundred thousand dollars during the tax period in which the credits are claimed;

(5) "New business facility employee", a person employed by the taxpayer in the operation of a new business facility during the taxable year for which the credit allowed by section 135.110 is claimed, except that truck drivers and rail and barge vehicle operators shall not constitute new business facility employees. A person shall be deemed to be so employed if such person performs duties in connection with the operation of the new business facility on:

(a) A regular, full-time basis; or

(b) A part-time basis, provided such person is customarily performing such duties an average of at least twenty hours per week; or

(c) A seasonal basis, provided such person performs such duties for at least eighty percent of the season customary for the position in which such person is employed;

(6) "New business facility income", the Missouri taxable income, as defined in chapter 143, RSMo, derived by the taxpayer from the operation of the new business facility. For the purpose of apportionment as prescribed in this subdivision, the term "Missouri taxable income" means, in the case of insurance companies, direct premiums as defined in chapter 148, RSMo. If a taxpayer has income derived from the operation of a new business facility as well as from other activities conducted within this state, the Missouri taxable income derived by the taxpayer from the operation of the new business facility shall be determined by multiplying the taxpayer's Missouri taxable income, computed in accordance with chapter 143, RSMo, or in the case of an insurance company, computed in accordance with chapter 148, RSMo, by a fraction, the numerator of which is the property factor, as defined in paragraph (a) of this subdivision, plus the payroll factor, as defined in paragraph (b) of this subdivision, and the denominator of which is two:

(a) The "property factor" is a fraction, the numerator of which is the new business facility investment certified for the tax period, and the denominator of which is the average value of all the taxpayer's real and depreciable tangible personal property owned or rented and used in this state during the tax period. The average value of all such property shall be determined as provided in chapter 32, RSMo;

(b) The "payroll factor" is a fraction, the numerator of which is the total amount paid during the tax period by the taxpayer for compensation to persons qualifying as new business facility employees, as determined by subsection 4 of section 135.110, at the new business facility, and the denominator of which is the total amount paid in this state during the tax period by the taxpayer for compensation. The compensation paid in this state shall be determined as provided in chapter 32, RSMo. For the purpose of this subdivision, "other activities conducted within this state" shall include activities previously conducted at the expanded, acquired or replaced facility at any time during the tax period immediately prior to the tax period in which commencement of commercial operations occurred;

(7) "New business facility investment", the value of real and depreciable tangible personal property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business facility, during the taxable year for which the credit allowed by section 135.110 is claimed, except that trucks, truck-trailers, truck semitrailers, rail and barge vehicles and other rolling stock for hire, track, switches, barges, bridges, tunnels and rail yards and spurs shall not constitute new business facility investments. The total value of such property during such taxable year shall be:

(a) Its original cost if owned by the taxpayer; or

(b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The new business facility investment shall be determined by dividing by twelve the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the new business facility is in operation for less than an entire taxable year, the new business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period;

(8) “Office”, a regional, national or international headquarters, a telemarketing operation, an insurance company, a passenger transportation ticket/reservation system or a credit card billing and processing center. For the purposes of this subdivision, “headquarters” means the administrative management of at least four integrated facilities operated by the taxpayer or related taxpayer. An office, as defined in this subdivision, when established must create and maintain positions for a minimum number of twenty-five new business facility employees as defined in subdivision (5) of this section;

(9) “Related taxpayer” shall mean:

- (a) A corporation, partnership, trust or association controlled by the taxpayer;
- (b) An individual, corporation, partnership, trust or association in control of the taxpayer; or
- (c) A corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. For the purposes of sections 135.100 to 135.150, “control of a corporation” shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote; “control of a partnership or association” shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association; and “control of a trust” shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership shall be determined as provided in Section 318 of the U.S. Internal Revenue Code;

(10) “Replacement business facility”, a facility otherwise described in subdivision (4) of this section, hereafter referred to in this subdivision as “new facility”, which replaces another facility, hereafter referred to in this subdivision as “old facility”, located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first taxable year in which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:

(a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's or related taxpayer's taxable period immediately preceding the taxable year in which commencement of commercial operations occurs at the new facility; and

(b) The old facility was employed by the taxpayer or a related taxpayer in the operation of a revenue-producing enterprise and the taxpayer continues the operation of the same or substantially similar revenue-producing enterprise at the new facility. Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer's new business facility investment, as computed in subsection 5 of section 135.110, in the new facility during the tax period in which the credits allowed in sections 135.110, 135.225 and 135.235 and the exemption allowed in section 135.220 are claimed exceed one million dollars or, if less, two hundred percent of the investment in the old facility by the taxpayer or related taxpayer, and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two except that the total number of employees at the new facility exceeds the total number of employees at the old facility by at least twenty-five if an office as defined in subdivision (8) of this section is established by a revenue-producing enterprise other than a revenue-producing enterprise defined in paragraphs (a) to (g) and (i) to (l) of subdivision (11) of this section;

(11) “Revenue-producing enterprise” means:

- (a) Manufacturing activities classified as SICs 20 through 39;
- (b) Agricultural activities classified as SIC 025;
- (c) Rail transportation terminal activities classified as SIC 4013;
- (d) Motor freight transportation terminal activities classified as SIC 4231;
- (e) Public warehousing and storage activities classified as SICs 422 and 423 except SIC 4221, miniwarehouse warehousing and warehousing self-storage;
- (f) Water transportation terminal activities classified as SIC 4491;
- (g) Wholesale trade activities classified as SICs 50 and 51;
- (h) Insurance carriers activities classified as SICs 631, 632 and 633;
- (i) Research and development activities classified as SIC 873, except 8733;
- (j) Farm implement dealer activities classified as SIC 5999;
- (k) Interexchange telecommunications services as defined in subdivision (24) or local exchange telecommunications services as defined in subdivision (31) of section 386.020, RSMo, or training activities conducted by an interexchange telecommunications company or by a local exchange telecommunications company as defined in subdivisions (23) and (30) of section 386.020, RSMo;
- (l) Recycling activities classified as SIC 5093;
- (m) Office activities as defined in subdivision (8) of this section, notwithstanding SIC classification;
- (n) Mining activities classified as SICs 10 through 14;

- (o) Computer programming, data processing and other computer-related activities classified as SIC 737;
- (p) The administrative management of any of the foregoing activities; or
- (q) Any combination of any of the foregoing activities;

(12) "Same or substantially similar revenue-producing enterprise", a revenue-producing enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced, sold, performed or conducted in the same or similar manner as in another revenue-producing enterprise;

(13) "SIC", the primary standard industrial classification as such classifications are defined in the 1987 edition of the Standard Industrial Classification Manual as prepared by the Executive Office of the President, Office of Management and Budget. For the purpose of this subdivision, "primary" means at least fifty percent of the activities so classified are performed at the new business facility during the taxpayer's tax period in which such tax credits are being claimed;

(14) "Taxpayer", an individual proprietorship, corporation described in section 143.441 or 143.471, RSMo, and partnership or an insurance company subject to the tax imposed by chapter 148, RSMo, or in the case of an insurance company exempt from the thirty percent employee requirement of section 135.230, to any obligation imposed pursuant to section 375.916, RSMo.]; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 97, Section 620.1420, Line 20, by inserting immediately after the word "**industry**", as it appears the first time in said line, the following:

" , long term care facilities licensed under Chapter 198, "

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 57, Section 135.535, Line 4 of said page, by inserting immediately after said line the following:

"135.918. This section shall be known and may be cited as the "Missouri Agricultural Investment Tax Credit Act". For tax years beginning on or after January 1, 2000, but before December 31, 2004, an individual taxpayer who qualifies as a farmer pursuant to Section 6654(i)(2) of Title 26 of the Internal Revenue Code or a corporate taxpayer who qualifies as a farming corporation pursuant to chapter 350, RSMo, shall be allowed to claim a nonrefundable credit against the tax otherwise due pursuant to chapter 143, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions, in an amount equal to ten percent of the cost of any item which is allowable as an expensing election pursuant to Section 179 of the Internal Revenue Code for the same tax year. The tax credit allowed pursuant to this section shall not exceed five hundred dollars. An eligible taxpayer shall claim the credit allowed by this section at the time such taxpayer files a return; provided that, a taxpayer who fails to timely file such taxpayer's return, including extensions, shall not be eligible for a credit pursuant to this section. Any amount of credit that exceeds the tax due for a taxpayer's tax year may be carried back to any of the taxpayer's three prior tax years or carried forward to any of the taxpayer's five subsequent tax years. The department of revenue is authorized to adopt any rules or regulations deemed necessary for the effective administration of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo." ; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 27, Section 71.794, Line 6, by inserting after all of said line the following:

“99.053. 1. Notwithstanding any provision of section 99.050 to the contrary regarding the number of housing commissioners, in any political subdivision except those described in subsection 2 of this section, a sixth housing commissioner may be appointed. Such a commissioner may be appointed, in the same manner as other appointees pursuant to section 99.050, if the housing authority determines that such a commissioner is needed to fulfill any federal requirement stating that at least one person who receives direct assistance from the housing authority shall serve as a commissioner. Any commissioner appointed to serve as a commissioner for the purposes of meeting the requirement of having a person who is directly assisted by the housing authority shall forfeit such appointment if that person:

- (1) Ceases to meet the requirements of housing commissioners pursuant to section 99.050; or**
- (2) Ceases receiving direct assistance from the housing authority for which he or she is a commissioner.**

2. The provisions of this section shall not apply to those housing authorities:

- (1) Located within a city not within a county;**
 - (2) Located within a city with a population of over four hundred thousand inhabitants;**
 - (3) Which are exempted, pursuant to federal law or regulation, from any federal requirement stating that at least one person who receives direct assistance from the housing authority shall serve as a commissioner.”;**
- and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 11, Section 32.110, Line 5 of said page, by inserting after all of said line the following:

“64.090. 1. For the purpose of promoting health, safety, morals, comfort or the general welfare of the unincorporated portion of counties, to conserve and protect property and building values, to secure the most economical use of the land, and to facilitate the adequate provision of public improvements all in accordance with a comprehensive plan, the county commission in all counties of the first class, as provided by law, except in counties of the first class not having a charter form of government, is hereby empowered to regulate and restrict, by order, in the unincorporated portions of the county, the height, number of stories and size of buildings, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land for trade, industry, residence or other purposes, including areas for agriculture, forestry and recreation.

2. The provisions of this section shall not apply to the incorporated portions of the counties, nor to the raising of crops, livestock, orchards, or forestry, nor to seasonal or temporary impoundments used for rice farming or flood irrigation. As used in this section, the term “rice farming or flood irrigation” means small berms of no more than eighteen inches high that are placed around a field to hold water for use for growing rice or for flood irrigation. This section shall not apply to the erection, maintenance, repair, alteration or extension of farm structures used for such purposes in an area not within the area shown on the flood hazard area map. This section shall not apply to underground mining where entrance is through an existing shaft or shafts or through a shaft or shafts not within the area shown on the flood hazard area map.

3. The powers by sections 64.010 to 64.160 given shall not be exercised so as to deprive the owner, lessee or tenant of any existing property of its use or maintenance for the purpose to which it is then lawfully devoted except that reasonable regulations may be adopted for the gradual elimination of nonconforming uses, nor shall anything in sections 64.010 to 64.160 interfere with such public utility services as may have been or may hereafter be specifically authorized or permitted by a certificate of public convenience and necessity, or order issued by the public service commission, or by permit of the county commission.

4. For the purpose of any zoning regulation adopted under the provisions of sections 64.010 to 64.160, the classification of single-family dwelling or single-family residence shall include any home in which eight or fewer

unrelated mentally or physically handicapped persons reside, and may include two additional persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons. The classification of single-family dwelling or single-family residence shall also include any private residence licensed by the division of family services or department of mental health to provide foster care to one or more but less than seven children who are unrelated to either foster parent by blood, marriage or adoption. A zoning regulation may require that the exterior appearance of the home and property be in reasonable conformance with the general neighborhood standards and may also establish reasonable standards regarding the density of such individual homes in any specific single-family dwelling or single-family residence area. Should a single-family dwelling or single-family residence as defined in this subsection cease to operate for the purposes specified in this subsection, any other use of such dwelling or residence, other than that allowed by the zoning regulations, shall be approved by the county board of zoning adjustment. Nothing in this subsection shall be construed to relieve the division of family services, the department of mental health or any other person, firm or corporation occupying or utilizing any single-family dwelling or single-family residence for the purposes specified in this subsection from compliance with any ordinance or regulation relating to occupancy permits except as to number and relationship of occupants or from compliance with any building or safety code applicable to actual use of such single-family dwelling or single-family residence.

5. Except in subsection 4 of this section, nothing contained in sections 64.010 to 64.160 shall affect the existence or validity of an ordinance which a county has adopted prior to March 4, 1991.

6. In any county of the first classification having a charter form of government and with a population of more than six hundred thousand but less than nine hundred thousand inhabitants, any zoning ordinance or order granting a conditional use permit adopted by the governing legislative body of such county pursuant to this section shall:

- (1) Be deemed enacted thirty days after passage; and**
- (2) Not be subject to any veto power or other power to disapprove such ordinance or order from the executive of such county.”; and**

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 48, Section 178.892, Line 58, by inserting after all of said line the following:

“208.750. 1. Sections 208.750 to 208.775 shall be known and may be cited as the “Family Development Account Program”.

2. For purposes of sections 208.750 to 208.775, the following terms mean:

- (1) “Account holder”, a person who is the owner of a family development account;
- (2) **“Accredited institution of higher education”, a university, college, community college, secondary, vocational or technical school located within the state of Missouri and accredited by an accrediting organization recognized by the department or any institution wherein a teacher can complete department of elementary and secondary education-approved teaching experience for purposes of teacher certification;**

(3) “Community-based organization”, any religious or charitable [association formed pursuant to chapter 352, RSMo,] **not-for-profit organization which is tax exempt pursuant to section 501(c)(3) of the Internal Revenue Code**, that is approved by the director of the department of economic development to implement the family development account program;

[(3)] (4) “Department”, the department of economic development;

[(4)] (5) “Director”, the director of the department of economic development;

[(5)] (6) “Family development account”, a financial instrument established pursuant to section 208.760;

[(6)] (7) “Family development account reserve fund”, the fund created by an approved community-based organization for the purposes of funding the costs incurred in the administration of the program and for providing matching funds for moneys in family development accounts;

[(7)] (8) “Federal poverty level”, the most recent poverty income guidelines published in the calendar year by the United States Department of Health and Human Services;

[(8)] (9) “Financial institution”, any bank, trust company, savings bank, credit union or savings and loan association as defined in chapter 362, 369 or 370, RSMo, and with an office in Missouri which is approved by the

director for participation in the program;

[(9)] (10) “Program”, the Missouri family development account program established in sections 208.750 to 208.775;

[(10)] (11) “Program contributor”, a person or entity who makes a contribution to a family development account reserve fund and is not the account holder.”; and

Further amend said bill, Page 66, Section B, Line 2, by striking “**contained in this act**” and inserting in lieu thereof the following:

“32.105, 32.110, 67.1401, 67.1411, 67.1421, 67.1431, 67.1441, 67.1461, 67.1471, 67.1491, 67.1521, 67.1531, 67.1545, 67.1551, 135.200, 135.355, 135.400, 135.403, 135.405, 135.408, 135.411, 135.423, 135.429, 135.430, 135.478, 135.484, 135.535, 135.545, 135.766, 178.892, 348.300, 348.302, 447.708, 620.470, 620.474, 620.1039, 620.1400, 620.1420, 620.1430, 620.1440, 620.1450, 620.1470, 620.1472, 620.1560 and 620.1575”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 106, Section 620.1575, Line 5 of said page, by inserting immediately after said line the following:

“620.1730. Sections 620.1730 to 620.1787 shall be known and cited as the “Missouri Business and Industrial Development Companies Act” or “Missouri BIDCO Act”.

620.1733. As used in sections 620.1730 to 620.1787, the following terms mean:

(1) “Affiliate of a BIDCO”:

(a) Any person, directly or indirectly owning, controlling or holding power to vote fifteen percent or more of the outstanding voting securities or other ownership interests of the Missouri business and industrial development company;

(b) Any person fifteen percent or more of whose outstanding voting securities or other ownership interest are directly or indirectly owned, controlled, or held with power to vote by the Missouri business and industrial development company;

(c) Any person directly or indirectly controlling, controlled by, or under common control with the Missouri business and industrial development company;

(d) A partnership in which the Missouri business and industrial development company is a general partner;

(e) Any person who is an officer, director, or agent of the Missouri business and industrial development company or an immediate family member of such officer, director, or agent;

(2) “BIDCO”, a business and industrial development company licensed under this act;

(3) “Business firm”, a person that transacts business on a regular and continual basis, or a person that proposes to transact business on a regular and continual basis;

(4) “Department”, the Missouri department of economic development;

(5) “Director”, the director of the department of economic development or a person acting under the supervision of the director;

(6) “Entity”, a general partnership, a limited partnership, a corporation, including a not-for-profit corporation, or limited liability company;

(7) “License”, a license issued under this act authorizing a Missouri entity to transact business as a BIDCO;

(8) “Licensee”, a Missouri entity which is licensed under this act;

(9) “Person”, an individual, proprietorship, joint venture, partnership, limited liability company, trust, business trust, syndicate, association, joint stock company, corporation, cooperative, government, agency of a government, or any other organization;

(10) “This act”, includes an order issued or rules promulgated under this act.

620.1736. 1. The director shall administer this act. The director may issue orders and promulgate rules that, in the opinion of the director, are necessary to execute, enforce, and effectuate the purposes of this act. Any rules promulgated shall be promulgated in accordance with the administrative procedure and review act contained

in chapter 536, RSMo.

2. Whenever the director issues an order or license under this act, the director may impose conditions that are necessary, in the opinion of the director, to carry out this act and the purposes of this act.

3. The director may honor applications from interested persons for declaratory rulings regarding any provision of this act.

4. Every final order, decision, license, or other official act of the director under this act is subject to judicial review in accordance with law.

5. An application filed with the director under this act shall be in such a form and contain such information as the director may require.

620.1739. 1. The director may make public or private investigations within or outside this state that the director considers necessary to determine whether to approve an application filed with the director under this act, to determine whether a person has violated or is about to violate this act, to aid in the enforcement of this act, or to aid in issuing an order or promulgating a rule under this act.

2. For purposes of an investigation, examination, or other proceeding under this act, the director may administer oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of books, papers, correspondence, memoranda, agreements, or other documents or records which the director considers relevant or material to the proceeding.

3. If a person fails to comply with a subpoena issued by the director or to testify with respect to a matter concerning which the person may be lawfully questioned, the circuit court for Cole County, on application of the director, may issue an order requiring the attendance of the person and the giving of testimony or production of evidence.

4. Service of process authorized to be made by the director in connection with a noncriminal proceeding under this act may be made by registered or certified mail.

620.1742. 1. The director may establish annually a schedule of fees sufficient to pay for the department's costs of administering the Missouri BIDCO act. The fees may be charged for:

- (1) For filing an application for a licensee;
- (2) For filing an application for approval to acquire control of a licensee;
- (3) For filing an application for approval for a licensee to merge with another Missouri entity, an application for approval for a licensee to purchase all or substantially all of the business of another person, or an application for approval for a licensee to sell all or substantially all of its business or of the business of any of its offices to another licensee;
- (4) For annual license renewal; and
- (5) For examination of the licensee.

2. A fee for filing an application with the director is nonrefundable and is to be paid at the time the application is filed with the director.

3. If any fees or penalties provided for in this act are not paid when required, the attorney general may maintain an action against the delinquent licensee to recover the fees or penalties, together with interest and costs.

4. A licensee or an affiliate or subsidiary of a licensee that fails to submit a report as required in the Missouri BIDCO act is subject to a penalty of twenty-five dollars for each day the report is delinquent or one thousand dollars, whichever is less.

5. Money collected under this section shall be paid into the state treasury to the credit of the department and used only for the operation of the department.

620.1745. 1. A licensee shall make and keep books, accounts, and other records in a form and manner as the director may require. These records shall be kept at a place and shall be preserved for a length of time as the director may require.

2. The director may require by order that a licensee write down any asset on its books and records to a valuation which represents its then value.

3. Not more than one hundred twenty days after the close of each calendar year or a longer period if specified by the director, a licensee shall file with the director an audit report containing all of the following:

- (1) Financial statements, including balance sheet, statement of income or loss, statement of change in capital accounts, and statement of changes in financial position or, for a licensee that is a Missouri nonprofit corporation, comparable financial statements for, or as of the end of, the calendar year, prepared with an audit by an independent certified public accountant or an independent public accountant in accordance with generally

accepted accounting principles;

(2) A report, certificate, or opinion of the independent certified public accountant or independent public accountant who performs the audit, stating that the financial statements were prepared in accordance with generally accepted accounting principles; and

(3) Other information that the director may reasonably require.

4. If a person other than a licensee makes or keeps the books, accounts, or other records of that licensee, this act applies to that person with respect to the performance of those services and with respect to those books, accounts, and other records to the same extent as if that person were the licensee.

5. If a person other than an affiliate or subsidiary of a licensee makes or keeps any of the books, accounts, or other records of that affiliate or subsidiary, this section applies to that person with respect to those books, accounts, and other records to the same extent as if that person were the affiliate or subsidiary.

6. If the director considers it expedient, the director may require any particular licensee to obtain the approval of the director before permitting another person to make or keep any of the books, accounts, or other records of the licensee.

620.1748. Each licensee, each affiliate of a licensee, and each subsidiary of a licensee shall file with the director such reports as and when the director may require. A report under this section shall be in such a form and shall contain such information as the director may require.

620.1751. 1. After a review of information regarding the directors, officers, partners, managers, and controlling persons of the applicant, a review of the applicant's business plan, including at least three years of detailed financial projections and other relevant information, and a review of additional information considered relevant by the director, the director shall approve an application for a license if, and only if, the director determines all of the following:

(1) The applicant has a net worth, or firm financing commitments which demonstrate that the applicant will have a net worth when the applicant begins transacting business as a BIDCO, in liquid form available to provide financing assistance, that is adequate for the applicant to transact business as a BIDCO as determined under this section;

(2) Each director, officer, partner, manager, and controlling person of the applicant is of good character and sound financial standing, is competent to perform his or her functions with respect to the applicant, and that the directors, officers, partners, and managers of the applicant are collectively adequate to manage the business of the applicant as a BIDCO;

(3) It is reasonable to believe that the applicant, if licensed, will comply with this act; and

(4) The applicant has reasonable promise of being a viable, ongoing BIDCO and of satisfying the basic objectives of its business plan.

2. In determining if the applicant has a net worth or firm financing commitments adequate to transact business as a BIDCO, the director shall consider the types and variety of financing assistance that the applicant plans to provide, the experience that the directors, officers, partners, managers, and controlling persons of the applicant have in providing financing and managerial assistance to business firms, the financial projections and other relevant information from the applicant's business plan, and whether the applicant intends to operate as a profit or nonprofit corporation. Except as otherwise provided in this act, the director shall require a minimum net worth of one million dollars.

620.1754. If the director denies an application under sections 620.1730 to 620.1787, the director shall provide the applicant with a written statement explaining the basis for the denial.

620.1757. If an application for a license is approved and all conditions precedent to the issuance of that license are fulfilled, the director shall issue a license to the applicant. A licensee shall post the license in a conspicuous place in the licensee's principal office. A license is not transferable or assignable without the permission of the director.

620.1760. 1. Except as otherwise provided in subsection 2 of this section, a person transacting business in this state, other than a licensee, shall not use a name or title which indicates that the person is a business and industrial development company including, but not limited to, use of the term "BIDCO", and shall not otherwise represent that the person is a business and industrial development company or a licensee.

2. Before being issued a license under this act, a Missouri entity that proposes to apply for a license or that applies for a license may perform, under a name that indicates that the entity is a business and industrial development entity, the acts necessary to apply for and obtain a license and to otherwise prepare to commence transacting business as a licensee. Such an entity shall not represent that it is a licensee until after the license has

been obtained.

3. A licensee shall not misrepresent the meaning or effect of its license.

4. The name of each licensee shall include the word "BIDCO". A licensee shall not transact business under any other name.

620.1763. 1. After complying with subsection 2 a licensee may apply to the director to have the director accept the surrender of the licensee's license. If the director determines that the requirements of this section have been satisfied, the director shall approve the application unless in the opinion of the director the purpose of the application is to evade a current or prospective action by the director.

2. Not less than sixty days before filing an application with the director under subsection 1, a licensee shall notify all of its creditors of its intention to file the application.

620.1766. 1. Each corporate licensee shall have at least three members of its board of directors, each general partnership licensee shall have at least three general partners, each limited partnership shall have at least three general partners or a corporate general partner that has at least three directors and each limited liability company licensee shall have at least three managers.

2. The managers of each licensee described in subsection 1 of this section shall hold a meeting not less than once each calendar quarter.

3. Within thirty days after the death, resignation, or removal of a director, officer, partner, or manager, the election of a director or manager or the appointment of an officer, or the admission of a partner, the licensee shall notify the director in writing of the event and shall provide any additional information which the director may require.

620.1769. 1. A licensee shall maintain not less than one office in this state.

2. A licensee shall post in a conspicuous place at each of its offices a sign which bears the corporate name of the licensee.

3. Upon written notice to the director, a licensee may establish, relocate, or close an office.

620.1772. 1. The business of a licensee shall be to provide financing assistance and management assistance to business firms. A licensee shall not engage in a business other than providing financing assistance and management assistance to business firms.

2. The powers of a licensee include, but are not limited to, all of the following:

(1) To borrow money and otherwise incur indebtedness for its purposes, including issuance of corporate bonds, debentures, notes, or other evidence of indebtedness. A licensee's indebtedness may be secured or unsecured, and may involve equity features including, but not limited to, provisions for conversion to stock and warrants to purchase stock;

(2) To make contracts;

(3) To incur and pay necessary and incidental operating expenses;

(4) To purchase, receive, hold, lease, or otherwise acquire, or to sell, convey, mortgage, lease, pledge, or otherwise dispose of, real or personal property, together with rights and privileges that are incidental and appurtenant to these transactions of real or personal property, if the real or personal property is for the licensee's use in operating its business or if the real or personal property is acquired by the licensee from time to time in satisfaction of debts or enforcement of obligations;

(5) To make donations for charitable, educational, research, or similar purposes;

(6) To implement a reasonable and prudent policy for conserving and investing its money before the money is used to provide financing assistance to business firms or so pay the expenses of the licensee; and

(7) To lend money upon such terms and conditions as it deems reasonable.

620.1775. 1. A licensee may determine the form and the terms and conditions for financing assistance provided by that licensee to a business firm including, but not limited to, forms such as loans; purchase of debt instruments; straight equity investments such as purchase of common stock, preferred stock, or membership interests, debt with equity features such as warrants to purchase stock or membership interests, convertible debentures, or receipt of a percent at net income or sales royalty based financing; guaranteeing of debt; or leasing of property. A licensee may purchase securities and membership interests of a business firm either directly or indirectly through an underwriter. A licensee may participate in the program of the small business administration pursuant to section 7(a) of the Small Business Act, Public Law 85:536, 15 U.S.C. 636(a), or any other government program for which the licensee is eligible and which has as its function the provision or facilitation of financing assistance or management assistance to business firms. If a licensee participates in a program referred to in this subsection, the license shall comply with the requirements of that program.

2. Management assistance provided by a licensee to a business firm may encompass both management or technical advice and management or technical services.

3. Financing assistance or management assistance provided by a licensee to a business firm shall be for the business purposes of that business firm.

4. A licensee may exercise the incidental powers that are necessary or convenient to carry on the business of, or are reasonably related to the business of, providing financing assistance and management assistance to business firms.

620.1778. 1. A licensee shall transact its business in a safe and sound manner and shall maintain itself in a safe and sound condition.

2. In determining whether a licensee is transacting business in a safe and sound manner or has committed an unsafe or unsound act, the director shall not consider the risk of a provision of financing assistance to a business firm, unless the director determines that the risk is so great compared with the realistically expected return as to demonstrate gross mismanagement.

3. Subsection 2 of this section authorizes but does not limit the authority of the director to do any of the following:

(1) Determine that a licensee's financing assistance to a single business firm or a group of affiliated business firms is in violation of subsection 1 of this section or constitutes an unsafe or unsound act, if the amount of that financing assistance is unduly large in relation to the total assets or the total shareholders equity of the licensee;

(2) Require that a licensee maintain a reserve in the amount of anticipated losses; and

(3) Require that a licensee have in effect a written financing assistance policy, approved by its board of directors, including credit evaluation and other matters. The director shall not require that a licensee adopt a financing assistance policy that contains standards which prevent the licensee from exercising needed flexibility in evaluating and structuring financing assistance to business firms on a deal by deal basis.

620.1781. 1. Without the prior approval of the director, a person shall not acquire control of a licensee.

2. With respect to an application for approval to acquire control of a licensee, if the director determines, that the applicant and the directors, officers, and managers of the applicant are of good character and sound financial standing, that it is reasonable to believe that, if the applicant acquires control of the licensee, the applicant will comply with this act, and that the applicant's plans, if any, to make a major change in the business, corporate structure, or management of the licensee are not detrimental to the safety and soundness of the licensee, the director shall approve the application. If, after notice and a hearing, the director determines otherwise, the director shall deny the application.

3. For purposes of this section, the director may determine any of the following:

(1) That an applicant or a director, officer, or manager of an applicant is not of good character if that person has been convicted of, or has pleaded nolo contendere to, a crime involving fraud or dishonesty;

(2) That an applicant's plan to make a major change in the management of a licensee is detrimental to the safety and soundness of the licensee if the plan provides for a person to become a director, officer, or manager of the licensee and that person has been convicted of, or has pleaded nolo contendere to, a crime involving fraud or dishonesty; and

(3) The conditions described in subsection 3 of this section are not the only conditions upon which the commissioner may determine that an applicant or a director, officer, or manager of an applicant is not of good character or that an applicant's plan to make a major change in the management of a licensee is detrimental to the safety and soundness of the licensee.

620.1784. 1. A licensee shall not merge with another entity:

(1) If the licensee is the surviving entity, the merger is approved by the director; or

(2) If the licensee is a disappearing entity, the surviving entity is a licensee and the merger is approved by the director.

2. A licensee shall not purchase all or substantially all of the business of another person unless the purchase is approved by the director.

3. A licensee shall not sell all or substantially all of its business or of the business of any of its offices to another person unless that other person is a licensee and the sale is approved by the director.

4. The director shall approve an application for approval of a merger, purchase, or sale, if, and only if, the director determines all of the following:

(1) That the merger, purchase, or sale will be safe and sound with respect to the acquiring licensee;

(2) That, upon consummation of the merger, purchase, or sale, it is reasonable to believe that the acquiring

licensee will comply with this act; and

(3) That the merger, purchase, or sale will not have a major detrimental impact on competition in the providing of financial assistance or management assistance to business firms, or if there will be such a detrimental impact, that the merger, purchase, or sale is necessary in the interests of the safety and soundness of any of the parties to the merger, purchase, or sale, or is otherwise, on balance, in the public interest.

620.1787. 1. If in the opinion of the director, a person violates, or there is reasonable cause to believe that a person is about to violate this act, the director may bring an action in the name of the people of this state in a circuit court to enjoin the violation or to enforce compliance with this act. Upon a proper showing, a restraining order, preliminary or permanent injunction, or writ of mandamus shall be granted, and a receiver or a conservator may be appointed for the defendant or the defendant's assets. The court shall not require the director to post a bond in an action brought under this act.

2. A person having custody of any of the books, accounts, or other records of a licensee shall not willfully refuse to allow the director, upon request, to inspect or make copies of any of those books, accounts, or other records.”; and

Further amend said bill, Page 66, Section 260.285, Line 3, by inserting immediately after said line the following:

“313.835. 1. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services provided by the commission and admission fees authorized pursuant to the provisions of sections 313.800 to 313.850 shall be deposited in the state treasury to the credit of the “Gaming Commission Fund” which is hereby created for the sole purpose of funding the administrative costs of the commission, subject to appropriation. Moneys deposited into this fund shall not be considered proceeds of gambling operations. Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the gaming commission fund shall be credited to the gaming commission fund. In each fiscal year, total revenues to the gaming commission fund for the preceding fiscal year shall be compared to total expenditures and transfers from the gaming commission fund for the preceding fiscal year. The remaining net proceeds in the gaming commission fund shall be distributed in the following manner:

(1) The first five hundred thousand dollars shall be appropriated on a per capita basis to cities and counties that match the state portion and have demonstrated a need for funding community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) The remaining net proceeds in the gaming commission fund for fiscal year 1998 and prior years shall be transferred to the “Veterans' Commission Capital Improvement Trust Fund”, as hereby created in the state treasury. The state treasurer shall administer the veterans' commission capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans' commission for:

(a) The construction, maintenance or renovation or equipment needs of veterans' homes in this state;

(b) The construction, maintenance, renovation, equipment needs and operation of veterans' cemeteries in this state;

(c) Fund transfers to Missouri veterans' homes fund established pursuant to the provisions of section 42.121, RSMo, as necessary to maintain solvency of the fund; [and]

(d) Fund transfers to any municipality with a population greater than four hundred thousand and located in part of a county with a population greater than six hundred thousand in this state which has established a fund for the sole purpose of the restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I. Appropriations from the veterans' commission capital improvement trust fund to such memorial fund shall be provided only as a one-time match for other funds devoted to the project and shall not exceed five million dollars. Additional appropriations not to exceed two million dollars total may be made from the veterans' commission capital improvement trust fund as a match to other funds for the renovation of other facilities dedicated as veterans' memorials in the state. All appropriations for renovation, reconstruction, and maintenance of veterans' memorials shall be made only for applications received by the Missouri veterans' commission prior to July 1, 2000; and

(e) Fund transfers to the Missouri veterans' business council fund established pursuant to section 620.1725, RSMo.

Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund pursuant to this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the veterans' commission capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund;

(3) The remaining net proceeds in the gaming commission fund for fiscal year 1999 and each fiscal year thereafter

shall be distributed as follows:

- (a) Three million dollars shall be transferred to the veterans' commission capital improvement trust fund;
- (b) Three million dollars shall be transferred to the Missouri national guard trust fund created in section 41.214, RSMo;
- (c) Three million dollars shall be transferred to the Missouri college guarantee fund, established pursuant to the provisions of section 173.248, RSMo, and additional moneys as annually appropriated by the general assembly shall be appropriated to such fund;
- (d) Subject to appropriations, one hundred percent of remaining net proceeds in the gaming commission fund except as provided in paragraph (l) of this subdivision, shall be transferred to the "Early Childhood Development, Education and Care Fund" which is hereby created to give parents meaningful choices and assistance in choosing the child-care and education arrangements that are appropriate for their family. All interest received on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, RSMo, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Any moneys deposited in such fund shall be used to support programs that prepare children prior to the age in which they are eligible to enroll in kindergarten, pursuant to section 160.053, RSMo, to enter school ready to learn. All moneys deposited in the early childhood development, education and care fund shall be annually appropriated for voluntary, early childhood development, education and care programs serving children in every region of the state not yet enrolled in kindergarten;
- (e) No less than sixty percent of moneys deposited in the early childhood development, education and care fund shall be appropriated as provided in this paragraph to the department of elementary and secondary education and to the department of social services to provide early childhood development, education and care programs through competitive grants to, or contracts with, governmental or private agencies. Eighty percent of such moneys pursuant to the provisions of this paragraph and additional moneys as appropriated by the general assembly shall be appropriated to the department of elementary and secondary education and twenty percent of such moneys pursuant to the provisions of this paragraph shall be appropriated to the department of social services. The departments shall provide public notice and information about the grant process to potential applicants.
 - a. Grants or contracts may be provided for:
 - (i) Start-up funds for necessary materials, supplies, equipment and facilities; and
 - (ii) Ongoing costs associated with the implementation of a sliding parental fee schedule based on income;
 - b. Grant and contract applications shall, at a minimum, include:
 - (i) A funding plan which demonstrates funding from a variety of sources including parental fees;
 - (ii) A child development, education and care plan that is appropriate to meet the needs of children;
 - (iii) The identity of any partner agencies or contractual service providers;
 - (iv) Documentation of community input into program development;
 - (v) Demonstration of financial and programmatic accountability on an annual basis;
 - (vi) Commitment to state licensure within one year of the initial grant, if funding comes from the appropriation to the department of elementary and secondary education and commitment to compliance with the requirements of the department of social services, if funding comes from the department of social services; and
 - (vii) With respect to applications by public schools, the establishment of a parent advisory committee within each public school program;
- c. In awarding grants and contracts pursuant to this paragraph, the departments may give preference to programs which:
 - (i) Are new or expanding programs which increase capacity;
 - (ii) Target geographic areas of high need, namely where the ratio of program slots to children under the age of six in the area is less than the same ratio statewide;
 - (iii) Are programs designed for special needs children;
 - (iv) Are programs that offer services during nontraditional hours and weekends; or
 - (v) Are programs that serve a high concentration of low-income families;
- d. Beginning on August 28, 1998, the department of elementary and secondary education and the department of social services shall initiate and conduct a four-year study to evaluate the impact of early childhood development, education and care in this state. The study shall consist of an evaluation of children eligible for moneys pursuant to this paragraph, including an evaluation of the early childhood development, education and care of those children participating in such program and those not participating in the program over a four-year period. At the conclusion of the study, the department of elementary and secondary education and the department of social services shall, within ninety days of conclusion of the study, submit a report to the general assembly and the governor, with an analysis of

the study required pursuant to this subparagraph, all data collected, findings, and other information relevant to early childhood development, education and care;

(f) No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide early childhood development, education and care programs through child development, education and care certificates to families whose income does not exceed one hundred eighty-five percent of the federal poverty level in the manner pursuant to 42 U.S.C. 9858c(c)(2)(A) and 42 U.S.C. 9858n(2) for the purpose of funding early childhood development, education and care programs as approved by the department of social services. At a minimum, the certificate shall be of a value per child which is commensurate with the per child payment [under] **pursuant to** item (ii) of subparagraph a. of paragraph (e) of this subdivision pertaining to the grants or contracts. On February first of each year the department shall certify the total amount of child development, education and care certificates applied for and the unused balance of the funds shall be released to be used for supplementing the competitive grants and contracts program authorized pursuant to paragraph (e) of this subdivision;

(g) No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to increase reimbursements to child care facilities for low-income children that are accredited by a recognized, early childhood accrediting organization;

(h) No less than ten percent of the funds deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide assistance to eligible parents whose family income does not exceed one hundred eighty-five percent of the federal poverty level who wish to care for their children under three years of age in the home, to enable such parent to take advantage of early childhood development, education and care programs for such parent's child or children. At a minimum, the certificate shall be of a value per child which is commensurate with the per child payment [under] **pursuant to** item (ii) of subparagraph a. of paragraph (e) of this subdivision pertaining to the grants or contracts. The department of social services shall provide assistance to these parents in the effective use of early childhood development, education and care tools and methods;

(i) In setting the value of parental certificates [under] **pursuant to** paragraph (f) of this subdivision and payments [under] **pursuant to** paragraph (h) of this subdivision, the department of social services may increase the value based on the following:

a. The adult caretaker of the children successfully participates in the parents as teachers program pursuant to the provisions of sections 178.691 to 178.699, RSMo, a training program provided by the department on early childhood development, education and care, the home-based Head Start program as defined in 42 U.S.C. 9832 or a similar program approved by the department;

b. The adult caretaker consents to and clears a child abuse or neglect screening pursuant to subdivision (1) of subsection 2 of section 210.152, RSMo; and

c. The degree of economic need of the family;

(j) The department of elementary and secondary education and the department of social services each shall by rule promulgated pursuant to chapter 536, RSMo, establish guidelines for the implementation of the early childhood development, education and care programs as provided in paragraphs (e) through (i) of this subdivision;

(k) [Any] **No** rule or portion of a rule[, as that term is defined in section 536.010, RSMo, that is] promulgated [under] **pursuant to** the authority [delegated in] **of** paragraph (j) of this subdivision shall become effective [only if the agency has fully complied with all of the requirements of] **unless it has been promulgated pursuant to the provisions of** chapter 536, RSMo[, including but not limited to, section 536.028, RSMo, if applicable, after August 28, 1998. All rulemaking authority delegated prior to August 28, 1998, is of no force and effect and repealed as of August 28, 1998, however, nothing in this section shall be interpreted to repeal or affect the validity of any rule adopted or promulgated prior to August 28, 1998. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028, RSMo, to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this act shall affect the validity of any rule adopted and promulgated prior to August 28, 1998];

(l) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of this subdivision, in the gaming commission fund annually exceeds twenty-seven million dollars, one and one-half million dollars of such proceeds shall be transferred annually, subject to appropriation, to the Missouri college guarantee fund, established pursuant to the provisions of section 173.248, RSMo.

2. Upon request by the veterans' commission, the general assembly may appropriate moneys from the veterans' commission capital improvements trust fund to the Missouri national guard trust fund to support the activities described in section 41.958, RSMo.”; and

Further amend said bill, Page 106, Section 620.1575, Line 59, by inserting immediately after said line the following:

“620.1700. Sections 620.1700 to 620.1725 shall be known and may be cited as the “Missouri Veterans' Business Council Act”.

620.1705. For the purposes of sections 620.1700 to 620.1725 the following terms mean:

(1) **“Council”, the Missouri veterans' business council established in section 620.1710;**
(2) **“Disabled veteran”, a veteran who has served on active or reserve duty in the armed forces at any time who receives compensation as a result of a service-connected disability claim allowed by the federal agency responsible for the administration of veteran's affairs, or who receives disability retirement or disability pension benefits from a federal agency as a result of such a disability or a national guard veteran who was permanently disabled as a result of active or reserve service to the state at the call of the governor;**

(3) **“Seed capital”, capital provided for start up veteran and disabled veteran owned businesses located in Missouri;**

(4) **“Veteran”, any person who is a citizen of this state who has been separated under honorable conditions from the armed forces of the United States who served on active duty during peacetime or wartime for at least six consecutive months, unless released early as a result of a service-connected disability or a reduction in force at the convenience of the government, or any member of a reserve or national guard component who has satisfactorily completed at least six years of service or who was called or ordered to active duty by the President.**

620.1710. 1. There is hereby established within the department of economic development the “Missouri Veterans' Business Council”.

2. The Missouri veterans' business council shall consist of fifteen members to be appointed by the governor with the advice and consent of the senate. Four members shall be veteran business owners, three members shall be disabled veteran business owners, three members shall be veterans working in the professional community and five members shall be from businesses that provide services to veterans. The lieutenant governor and the director of the department of economic development shall serve as ex officio members of the board. Each appointed member shall serve for a term of four years and until a successor is duly appointed; except that, of the members first appointed four members shall serve for terms of four years, four members shall serve for terms of three years, four members shall serve for terms of two years and three members shall serve terms of one year. The council shall meet at least four times each year at the call of the chairperson or upon a call of at least eight members of the council. The members of the council shall receive no compensation, but shall be reimbursed for all necessary and actual expenses incurred in the performance of their official duties on the council.

3. The director of the department of economic development shall assign sufficient staff to state offices in Jefferson City, St. Louis, Springfield and Kansas City to carry out the duties required by sections 620.1700 to 620.1725.

620.1715. The duties of the Missouri veterans' business council shall include, but are not limited to, the following:

(1) **Identifying veteran owned businesses and disabled veteran owned businesses in this state;**
(2) **Performing certification of veteran owned businesses and disabled veteran owned businesses;**
(3) **Conducting an initial review of all state policies and programs as they impact veteran owned businesses and disabled veteran owned businesses. The findings and recommendations of the council based on this review shall be reported annually to the governor and the general assembly by January fifteenth;**

(4) **Monitoring and commenting on legislative proposals at the state, county and local levels;**
(5) **Providing public information, which is accessible through various media including the Internet, listservs, newsletters and periodical mailings;**

(6) **Establishing a microloan revolving loan program for the operation and delivery of entrepreneurial support programs and services provider, including authorizing tax credits to create and fund such programs, and providing conferences, training and technical assistance;**

(7) **Writing and accepting grants;**

- (8) Developing an outreach, media and public relations plan;
- (9) Maintaining a working relationship with other governmental agencies as they relate to business growth;
- (10) Providing seed capital money for start-up veteran and disabled veteran owned businesses; and
- (11) Administering the Missouri veterans' business council fund created pursuant to section 620.1725.

620.1720. 1. A taxpayer shall be allowed a credit against the tax otherwise due pursuant to chapter 143, 147 or 148, RSMo, excluding taxes withheld pursuant to sections 143.191 to 143.265, RSMo, equal to fifty percent of the amount of any money or property such taxpayer contributed to the Missouri veteran's business council fund. Any amount of credit which exceeds the tax liability of a taxpayer for the tax year in which the credit is first claimed may be carried back to any of the taxpayer's three prior tax years and carried forward to any of the taxpayer's five subsequent tax years. A certificate of tax credit issued to a taxpayer by the Missouri veterans' business council may be assigned, transferred, sold or otherwise conveyed. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed by the new owner with the director of revenue specifying the name and address of the new owner of the tax credit and the value of the credit. As used in this section, the term "taxpayer" means any person, partnership, corporation, trust or limited liability company.

2. To obtain a tax credit pursuant to this section, a taxpayer shall submit to the Missouri veterans' business council an application for tax credit and proof of a contribution which qualifies the taxpayer for a tax credit. Upon receipt of acceptable proof of contribution, the Missouri veterans' business council shall issue the taxpayer a certificate of tax credit.

3. Beginning January 1, 2002, tax credits shall be allowed pursuant to this section in an amount not to exceed two million dollars per year. Tax credit applications shall be considered in the order in which they are received.

4. The Missouri veterans' business council may promulgate such rules or regulations or issue administrative guidelines as are necessary to administer this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

620.1725. There is hereby created in the state treasury the "Missouri Veterans' Business Council Fund", which shall be administered by the Missouri veterans' business council created pursuant to sections 620.1700 to 620.1725. The state treasurer shall deposit to the credit of the fund all moneys which may be appropriated to it by the general assembly and also any gifts, contributions, grants, bequests or other aid received from federal, private or other sources. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not be transferred to the credit of the general revenue fund at the end of the biennium."; and

Further amend said bill, Page 90, Section 620.017, Line 14, by inserting immediately after said line the following:

"620.050. As used in sections 620.050 to 620.060, unless the context clearly requires otherwise, the following terms shall mean:

- (1) "Affected small businesses" or "affects small business", any potential or actual requirement imposed upon a small business through an agency's proposed or adopted rule that will cause a direct and significant economic impact upon a small business, or is directly related to the formation, operation, or expansion of a small business;
- (2) "Agency", each state board, commission, department, or officer authorized by law to make rules, except those in the legislative or judicial branches;
- (3) "Board", the small business regulatory review board; and
- (4) "Small business", a for-profit enterprise consisting of fewer than one hundred full-time or part-time employees.

620.052. 1. Prior to submitting proposed rules for adoption, amendment, or repeal pursuant to chapter 536, RSMo, the agency shall determine whether the proposed rules affect small business, and if so, the availability and practicability of less restrictive alternatives that could be implemented. This section shall not apply to emergency rulemaking as set forth in section 536.025, RSMo. This section shall be in addition to the fiscal note requirement of sections 536.200 to 536.210, RSMo.

2. If the proposed rules affect small business, the agency shall consider creative, innovative, or flexible methods of compliance for small businesses and prepare a small business impact statement to be submitted with

the proposed rules. The statement may provide a reasonable determination of the following:

(1) The businesses that will be directly affected by, bear the costs of, or directly benefit from the proposed rules;

(2) Description of the small businesses that will be required to comply with the proposed rules and how they may be adversely affected;

(3) In dollar amounts, the increase in the level of direct costs such as fees or administrative penalties, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs associated with compliance;

(4) The probable monetary costs and benefits to the implementing agency and other agencies directly affected, including the estimated total amount the agency expects to collect from any additionally imposed fees and the manner in which the moneys will be used;

(5) The methods the agency considered or used to reduce the impact on small business such as consolidation, simplification, differing compliance or reporting requirements, less stringent deadlines, performance rather than design standards, exemption, or any other mitigating techniques;

(6) How the agency involved small business in the development of the proposed rules;

(7) Whether the proposed rules include provisions that are more stringent than those mandated by any comparable or related federal, state, or county standards, with an explanation of the reason for imposing the more stringent standard;

(8) Whether other states or entities have similar rules, and if determinable, what alternatives were implemented, along with associated costs.

3. Any small business may offer to the agency alternatives to the proposed rule to reduce the impact of the proposed rule upon small business.

4. This section shall not apply to proposed rules adopted by an agency to implement a statute that does not require an agency to interpret or describe the requirements of the statute such as federally mandated regulations which affords the agency no discretion to consider less restrictive alternatives, nor shall this section apply to any agency that considers the same or similar impact as contained in this section, provided that such agency publish the same or similar statement as part of its rulemaking process.

620.054. 1. There shall be established within the department of economic development a small business regulatory review board to consider any request from small business owners for review of any rule adopted by a state agency and to make recommendations to the agency or the general assembly regarding the need for a rule change or legislation. The establishment of the small business regulatory review board shall be a type I agency as defined in appendix B, RSMo.

2. The small business regulatory review board shall consist of five members, who shall be appointed or serve by designation as follows:

(1) Three members to be appointed by the governor;

(2) One member to be appointed by the speaker of the house of representatives; and

(3) One member to be appointed by the president pro tempore of the senate.

The lieutenant governor shall be an ex officio nonvoting member of the board. All nonlegislative appointments made pursuant to this subsection shall be made from a list of nominees, submitted to each appointing authority, by any nonprofit organization formed under the laws of this state the principal purpose of which is to function as a business membership service organization.

3. The appointments shall reflect representation of a variety of small businesses in the state, provided that no more than two members shall be representatives from the same type of small business.

4. All nonlegislative members of the small business regulatory review board shall be either a current or former owner or officer of a small business and shall not be an officer or employee of the federal, state, or county government. The governor shall appoint the initial chairperson of the board and a majority of the board shall elect subsequent chairpersons. The chairperson shall serve a term of not more than one year, unless removed earlier by a two-thirds vote of all members of the board.

5. A majority of all the members of the board shall constitute a quorum to do business and the concurrence of a majority of all the members of the board present and voting shall be necessary to make any action of the board valid.

620.056. 1. In addition to the basis for filing a petition provided in section 536.041, RSMo, any affected small business may file a written petition with the agency that has adopted rules objecting to all or part of any rule affecting small business on any of the following grounds:

(1) The actual effect on small business was not reflected in, or significantly exceeded, the small business impact statement submitted prior to the adoption of the rules;

(2) The small business impact statement did not consider new or significant economic information that reveals an undue impact on small business;

(3) The rules create an undue barrier to the formation, operation, and expansion of small businesses in a manner that significantly outweighs its benefit to the public;

(4) The rules duplicate, overlap, or conflict with rules adopted by another agency or violate the substantive authority under which the rules were adopted; or

(5) The technology, economic conditions, or other relevant factors justifying the purpose for the rules have changed or no longer exist.

2. Upon submission of the petition, the agency shall forward a copy of the petition to the small business regulatory review board and the joint committee on administrative rules, as required by section 536.041, RSMo, as notification of a petition filed pursuant to the provisions of sections 620.050 to 620.060. The agency shall promptly consider the petition and may seek advice and counsel regarding the petition. Within sixty days after the submission of the petition, the agency shall determine whether the impact statement or the public hearing addressed the actual and significant impact on small business. The agency shall submit a written response of the agency's determination to the small business regulatory review board within sixty days after receipt of the petition. If the agency determines that the petition merits the adoption, amendment, or repeal of a rule, it may initiate proceedings in accordance with the applicable requirements of chapter 536, RSMo.

3. If the agency determines that the petition does not merit the adoption, amendment, or repeal of any rule, any affected small business may seek a review of the decision by the small business regulatory review board. The board may convene a meeting for the purpose of soliciting testimony that will assist in its determination whether to recommend that the agency initiate proceedings in accordance with chapter 536, RSMo. The board shall not consider a successive petition on the same rule for a period of one year. For rules adopted after August 28, 2000, the board may base its recommendation on any of the following reasons:

(1) The actual effect on small business was not reflected in, or significantly exceeded, the impact statement submitted prior to the adoption of the rules;

(2) The impact statement did not take into account new or significant economic information that reveals an undue impact on small business;

(3) The rules created an undue barrier to the formation, operation, and expansion of small businesses in the state in a manner that significantly outweighs its benefit to the public;

(4) The rules duplicate, overlap, or conflict with rules adopted by another agency or violate the substantive authority under which the rules were adopted; or

(5) The technology, economic conditions, or other relevant factors justifying the purpose for the rules have changed or no longer exist.

4. If the small business regulatory review board recommends that an agency initiate rulemaking proceedings for any reason provided in subsection 2 or 3 of this section, it shall submit to the general assembly an evaluation report and the agency's response as provided in this section. The general assembly may subsequently take such action in response to the evaluation report and the agency's response as it finds appropriate.

620.058. 1. Each agency having rules that affect small business in effect on August 28, 2000, shall submit by June thirtieth of each odd-numbered year, a list of those rules to the small business regulatory review board.

2. The small business regulatory review board shall provide to the head of each agency a list of any rules adopted by the agency that affect small business and have generated complaints or concerns, including any rules that the board determines may duplicate, overlap, or conflict with other rules, or exceed statutory authority. The board may request a response from the agency regarding any specific rule so submitted. Within forty-five days after being notified by the board of any specific rule at issue, the agency shall submit a written report to the board in response to the complaints or concerns. The agency shall also state whether the agency has considered the continued need for the rules and the degree to which technology, economic conditions, and other relevant factors may have diminished or eliminated the need for maintaining the rules.

3. The board may solicit testimony from the public and any agency regarding any report submitted by the agency under this section at a public meeting. Upon consideration of any report submitted by an agency under this section and any public testimony, the small business regulatory review board shall submit an evaluation report to each regular session of the general assembly in even-numbered years. The evaluation report shall

include an assessment as to whether the public interest significantly outweighs a rule's effect on small business and any legislative proposal to eliminate or reduce the effect on small business. The evaluation report may include assessments of the regulatory agencies, and make such recommendations regarding small business regulatory fairness. The general assembly may take such action in response to the report as it finds appropriate.

620.060. 1. Except where a penalty is assessed pursuant to a program approved, authorized, or delegated under a federal law, any agency authorized to assess administrative penalties as allowed by federal or state law upon a small business shall waive or reduce any penalty for a violation of any statute or rules by a small business under the following conditions:

(1) The small business corrects the violation within a minimum of thirty days after receipt of a notice of violation or citation; and

(2) The violation was unintentional or the result of excusable neglect.

2. Subsection 1 of this section shall not apply when:

(1) A small business fails to exercise good faith in complying with the statute or rules;

(2) A violation is knowing or involves criminal conduct; or

(3) A violation results in serious health, safety, or environmental impact.”; and

Further amend said bill, Page 27, Section 71.794, Line 6, by inserting after all of said line the following:

“99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefitted by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing

district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area, is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing

body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments;

(8) No ordinance adopting a redevelopment plan, project or area, or amendment thereto shall be valid unless first referred to the commission as provided in this section. School districts and other taxing entities entitled to participate on the commission shall have standing to challenge the failure to comply with the provisions of sections 99.800 to 99.865 or any unlawful expenditure of public funds approved pursuant to ordinance, and the provisions of this subdivision shall be considered remedial and applicable to legal actions commenced before or after August 28, 2000. After August 28, 2000, any such action must be brought within ninety days following the adoption of the ordinance adopting a redevelopment plan, project or area, or amendment thereto.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of, or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 3, Section A, Line 7, by inserting after all of said line the following:

“26.620. 1. There is established within the office of the lieutenant governor a small business advocate. Unless otherwise specifically provided by law, and upon written request by a small business, the small business advocate will serve as a point of contact for the state's small business owners. The advocate will act on behalf of small business owners who have questions or problems involving state government. The small business advocate may also engage in the following activities:

- (1) Facilitate and coordinate with federal, state, and county agencies and officials on any matter relating to and promoting the interests of small business;**
- (2) Conduct investigations to secure information useful in the promulgation of administrative rules and laws favorable to the interests of small businesses;**
- (3) Refer any appropriate matter to the state auditor for examination or investigation;**
- (4) Do any and all things necessary to effectuate the purposes of this section; and**
- (5) Facilitate meetings involving legislative matters which are of interest to small business.**

2. The small business advocate shall submit an annual report to the general assembly detailing their activities no later than twenty days prior to convening of the regular session.

3. As used in this section, “small business” means a for-profit enterprise consisting of fewer than one hundred full-time or part-time employees.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 41, Section 135.406, Lines 19-20 of said page, by striking “**at least**” and inserting in lieu thereof the following: “**no more than**”; and

Further amend said bill and section, Page 42, Line 2 of said page, by inserting immediately after the word “**development**” the following:

“; but in the event this one-million-dollar set aside is not used in its entirety by September 1 of any year, the balance of the credit may be used by other entities qualifying for tax credits under the capital tax credit program as defined in sections 135.400 to 135.430”.

Senate Amendment No. 18

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 106, Section B, Line 1, by inserting before said line the following:

“Section 1. 1. The Missouri housing development commission shall establish a pilot program, in conjunction with the governing body of any city not within a county, to renovate abandoned houses within any city not within a county, for sale to individuals with incomes at or below three hundred percent of the federal poverty level. The price of the renovated housing sale shall not exceed the costs incurred for the renovation. The buyer of any renovated home may use any available financing mechanism to make the purchase, including any state or federal assistance program.

2. The Missouri housing development commission is authorized to issue bonds, notes or other obligations not to exceed ten million dollars to fund the renovation of abandoned housing. Any city not within a county is authorized to issue bonds, notes or other obligations in an amount not to exceed ten million dollars to fund the renovation of abandoned housing, as described in this section.

3. Bonds authorized by this section shall be issued pursuant to a resolution adopted by the Missouri housing development commission and the governing body of a city not within a county. Bonds or notes issued pursuant to this section shall set out the amount of bonds or notes to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection therewith. Any such bonds or notes may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution.

4. Such bonds or notes shall bear interest at a rate set by the Missouri housing development commission and the governing body of any city not within a county which is establishing such pilot program as described in this section, and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount thereof. Bonds or notes issued by an authority shall possess all of the qualities of negotiable instruments under the laws of this state.

5. Such bonds or notes may be payable to bearer, may be registered or coupon bonds or notes and if payable to bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing the same which resolution may also provide for the exchange of registered and coupon bonds or notes.

6. Bonds or notes issued by the Missouri housing development commission or the governing body of a city not within a county shall be payable as to principal, interest and redemption premium, if any, out of the revenues from the sale of the renovated abandoned houses. Bonds or notes issued pursuant to this section shall not constitute an indebtedness of the Missouri housing development commission or the governing body of a city not within a county within the meaning of any constitutional or statutory restriction, limitation or provision, and such bonds or notes shall not be payable out of any funds raised or to be raised by taxation. Each obligation or bond issued pursuant to this section shall contain on its face a statement to the effect that the Missouri housing development commission or the governing body of a city not within a county shall not be obligated to pay such bond or interest on such bond except from the revenues received from the sale of the renovated abandoned houses, and that neither the full faith or credit or taxing power of this state or of any political subdivision of this

state is pledged to the payment of the principal of or the interest on such obligation or bond. The proceeds of such bonds shall be disbursed in such manner and pursuant to such restrictions the Missouri housing development commission and the governing body of a city not within a county may provide in their resolutions authorizing the issuance of such bonds.

7. Any city not within a county shall use all funds received from the issuance of such bonds to fund the housing renovation program pursuant to this section.

8. A commission is hereby established to administer the programs created by this section. This commission shall be composed of five members, two appointed by the Missouri housing development commission, two appointed by the mayor of any city not within a county which is establishing such pilot program as described in this section, and one member to be the mayor of said city, or the mayor's delegate.

9. A jobs training program is hereby established, to be funded by the five dollar court filing fee established by this section, to create employment opportunities for persons living in any city not within a county which established such pilot program as described in this section. The commission established by this section shall be authorized to seek federal and private funding sources to support this program.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 19

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 14, Section 67.1401, Line 21, by inserting after all of said line the following:

“67.1442. Upon the written request of any real property owner within a city having a population of at least one hundred forty-nine thousand, located in a noncharter county of the first classification with a population of at least two hundred seven thousand, the governing body of the municipality may hold a public hearing for the removal of real property from such district or moved from one zone designation of the district to another zone designation of the district and such real property may be removed from such district or moved from one zone designation of a district to another zone designation of the same district, provided that:

- (1) The board consents to the removal of such property;
- (2) The district can meet its obligations without the revenues generated by or on the real property proposed to be removed from the district or moved from one zone designation of the district to another zone designation of the same district; and
- (3) The public hearing is conducted in the same manner as required by section 67.1431 with notice of the hearing given in the same manner as required by section 67.1431 and such notice shall include:
 - (a) The date, time and place of the public hearing;
 - (b) The name of the district;
 - (c) The boundaries by street location, or other readily identifiable means if no street location exists of the real property proposed to be removed from the district or moved from one zone of designation of the district to another zone of designation of the same district, and a map illustrating the boundaries of the existing district and the real property proposed to be removed; and
 - (d) A statement that all interested persons shall be given an opportunity to be heard at the public hearing.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 20

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 66, Section 260.285, Line 3, by inserting immediately after said line the following:

“334.108. 1. As used in this section, a “covenant not to compete” means an agreement or part of a contract of employment in which the covenantee agrees for a specific period of time and within a particular area to refrain from competition with the covenantor.

2. A covenant not to compete is not enforceable if it is ancillary to or part of an otherwise enforceable

agreement with a not-for-profit hospital organized under chapter 81, 82, 96, 205, 206 or 355, RSMo.

3. Except as provided in subsection 2 of this section, a covenant not to compete is enforceable against a person licensed as a physician by the Missouri state board of registration for the healing arts pursuant to this chapter if it is ancillary to or part of an otherwise enforceable agreement with a health carrier as defined in section 376.1350, RSMo, at the time the agreement is made to the extent that it contains limitations as to time, geographical area, and scope of activity to be restrained that are reasonable and do not impose a greater restraint than is necessary to protect the goodwill or other business interest of the physician.

4. A covenant entered into pursuant to this section shall:

(1) Not deny the physician access to a list of his patients whom he had seen or treated within one year of termination of the contract or employment;

(2) Provide access to medical records of the physician's patients upon authorization of the patient and any copies of medical records for a reasonable fee pursuant to section 191.227, RSMo;

(3) Provide that any access to a list of patients or to patients' medical records after termination of the contract or employment shall be provided in the format that such records are maintained except by mutual consent of the parties to the contract;

(4) Provide for a buy out of the covenant by the physician at a reasonable price or, at the option of either party, as determined by a mutually agreed upon arbitrator whose decision shall be binding on the parties or, in the case of an inability to agree, an arbitrator of the court whose decision shall be binding on the parties; and

(5) Permit the physician to provide continuing care and treatment to a specific patient or patients during the course of an acute illness even after the contract or employment has been terminated.

5. This section applies to a covenant entered into on or after August 28, 2000.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 21

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 24, Section 67.1545, Line 18, by adding after all of said line the following:

“71.014. Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of [nine hundred thousand,] **six hundred fifty thousand**, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon verified petition requesting such annexation signed by the owners of all fee interest of record in all tracts located within the area to be annexed.”; and

Further amend the title and enacting clause and intersectional references accordingly.

Senate Amendment No. 22

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 106, Section 620.1575, Line 5, by inserting after all of said line the following:

“Section 1. Any person acting in the course of general duties shall not be held personally liable regardless of the date of the act. This section shall not apply to any intentional criminal act.”

Further amend the title and enacting clause accordingly.

Senate Amendment No. 23

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 27, Section 71.794, Line 6, by inserting after all of said line the following:

“82.1050. 1. Beginning January 1, 2001, any landlord who leases real property located in any city with a population of more than four hundred thousand inhabitants shall submit a registration form to the governing body of such city pursuant to this section.

2. The registration form shall be developed by the governing body of such city and shall contain:

(1) The name, personal address, business address and telephone numbers of the landlord;

(2) The address of each property located in the city that is owned and leased by the landlord;

(3) The name, address and phone number of a person who will serve as a legal representative of the landlord for purposes of receiving public safety violations, code violations or other violations of any kind involving the property listed pursuant to subdivision (2) of this subsection. In the event no legal representative is named pursuant to this subdivision, the landlord shall serve as his or her own legal representative for purposes of this subdivision; and

(4) Any other information that the governing body of such city deems necessary to enhance compliance with city public safety and code regulations.

3. The city shall compile the registration forms submitted pursuant to this section for the purposes of ensuring greater efficiency in compliance with, and enforcement of, local public safety and code regulations. On or before July 1, 2002, and on or before every July first thereafter, the city shall issue a report to the governor, the speaker of the house of representatives and the president pro tempore of the senate as to the effectiveness of the compilation of the forms in ensuring greater efficiency in compliance with, and enforcement of, public safety and code regulations.

4. This section shall be of no force and effect on or after January 1, 2006.

5. This section shall apply only to individuals and entities that own five or more pieces of rental property;
and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 24

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 57, Section 135.535, Line 4, by inserting immediately after all of said line the following:

“148.400. All insurance companies or associations organized in or admitted to this state may deduct from premium taxes payable to this state, in addition to all other credits allowed by law, income taxes, franchise taxes, personal property taxes, valuation fees, registration fees and examination fees paid, including taxes and fees paid by the attorney in fact of a reciprocal or interinsurance exchange to the extent attributable to the principal business as such attorney in fact, [under] pursuant to any law of this state. For any tax year beginning on or after January 1, 2002, any deduction for examination fees paid during tax year 2002 or thereafter which exceeds premium taxes payable for that tax year shall not be refunded, but may be carried forward to subsequent tax years until exhausted.”;
and

Further amend said bill by amending the title and enacting clause accordingly.

Senate Amendment No. 27

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 57, Section 135.535, Line 16 of said page, by inserting after all of said line the following:

“144.757. 1. Any county or municipality, except municipalities within a county of the first classification having a charter form of government with a population in excess of nine hundred thousand may, by a majority vote of its governing body, impose a local use tax if a local sales tax is imposed as defined in section 32.085, RSMo, at a rate equal to the rate of the local sales tax in effect in such county or municipality; provided, however, that no ordinance or order enacted pursuant to [the authority granted by the provisions of this act] sections 144.757 to 144.761 shall be effective unless the governing body of the county or municipality submits to the voters thereof at a municipal, county or state

general, primary or special election prior to August 7, 1996, or after December 31, 1996, a proposal to authorize the governing body of the county or municipality to impose a local use tax [under the provisions of this act] **pursuant to sections 144.757 to 144.761**. Municipalities within a county of the first classification having a charter form of government with a population in excess of nine hundred thousand may, upon voter approval received pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section, impose a local use tax at the same rate as the local municipal sales tax with the revenues from all such municipal use taxes to be distributed pursuant to subsection 4 of section 94.890, RSMo. The municipality shall within thirty days of the approval of the use tax imposed pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section select one of the distribution options permitted in subsection 4 of section 94.890, RSMo, for distribution of all municipal use taxes.

2. (1) The ballot of submission except for counties and municipalities described in subdivisions (2) and (3) of this subsection, shall contain substantially the following language:

Shall the (county or municipality's name) impose a local use tax at the same rate as the total local sales tax rate, currently (insert percent), provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out of state vendors do not in total exceed two thousand dollars in any calendar year.

G YES GNO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

(2) (a) The ballot of submission in a county of the first classification having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

[Shall the county governing body be authorized to impose a local use tax which is equal to the total of the existing county sales tax of one percent and the existing county transportation sales taxes of three-quarters of one percent, provided that if any county sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out of state vendors do not in total exceed two thousand dollars in any calendar year.] **For the purposes of preventing neighborhood decline, demolishing old deteriorating and vacant buildings, rehabilitating historic structures, cleaning polluted sites, promoting reinvestment in neighborhoods by creating the (name of county) Community Comeback Trust Program; and for the purposes of enhancing local government services; shall the county governing body be authorized to collect a local use tax equal to the total of the existing county sales tax rate of (insert tax rate) provided that if the county sales tax is repealed, reduced or raised by the voter approval, the local use tax rate shall also be repealed, reduced or raised by the same action? The Community Comeback Program shall be required to submit to the public a comprehensive financial report detailing the management and use of funds each year. A use tax is the equivalent of a sales tax on purchases from out-of-state buyers and on certain taxable business transactions. A use tax return shall not be required to be filed by persons whose purchases from out of state vendors do not in total exceed two thousand dollars in any calendar year.**

G YES G NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

(b) The ballot of submission in a municipality within a county of the first classification having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

Shall the municipality be authorized to impose a local use tax at the same rate as the local sales tax by a vote of the governing body, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out of state vendors do not in total exceed two thousand dollars in any calendar year.

GYES G NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

(3) The ballot of submission in any city not within a county shall contain substantially the following language:

Shall the (city name) impose a local use tax at the same rate as the local sales tax, currently at a rate of (insert percent) which includes the capital improvements sales tax and the transportation tax, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from

out of state vendors do not in total exceed two thousand dollars in any calendar year.

G YES G NO

If you are in favor of the question, place an “X” in the box opposite “Yes”. If you are opposed to the question, place an “X” in the box opposite “No”.

(4) If any of such ballots are submitted on August 6, 1996, and if a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect October 1, 1996, provided the director of revenue receives notice of adoption of the local use tax on or before August 16, 1996. If any of such ballots are submitted after December 31, 1996, and if a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the calendar quarter which begins at least forty-five days after the director of revenue receives notice of adoption of the local use tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall have no power to impose the local use tax as herein authorized unless and until the governing body of the county or municipality shall again have submitted another proposal to authorize the governing body of the county or municipality to impose the local use tax [under the provisions of this act] **pursuant to sections 144.757 to 144.761** and such proposal is approved by a majority of the qualified voters voting thereon.

3. The local use tax may be imposed at the same rate as the local sales tax then currently in effect in the county or municipality upon all transactions which are subject to the taxes imposed [under] **pursuant to** sections 144.600 to 144.745 within the county or municipality adopting such tax; provided, however, that if any local sales tax is repealed or the rate thereof is reduced or raised by voter approval, the local use tax rate shall also be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the local sales tax.

4. For purposes of sections 144.757 to 144.761 and sections 67.478 to 67.493, RSMo, the use tax may be referred to or described as the equivalent of a sales tax on purchases made from out-of-state sellers by in-state buyers and on certain intra business transactions. Such a description shall not change the classification, form or subject of the use tax or the manner in which it is collected.

144.759. 1. All local use taxes collected by the director of revenue [under this act] **pursuant to sections 144.757 to 144.761** on behalf of any county or municipality, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited with the state treasurer in a local use tax trust fund, which fund shall be separate and apart from the local sales tax trust funds. The moneys in such local use tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county or municipality imposing a local use tax, and the records shall be open to the inspection of officers of the county or municipality and to the public. No later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month, except as provided in subsection 2 of this section, to the county or municipality treasurer, or such other officer as may be designated by the county or municipality ordinance or order, of each county or municipality imposing the tax authorized by [this act] **sections 144.757 to 144.761**, the sum due the county or municipality as certified by the director of revenue.

2. The director of revenue shall distribute all moneys which would be due any county of the first classification having a charter form of government and having a population of nine hundred thousand or more to the county treasurer or such other officer as may be designated by county ordinance, who shall distribute such moneys as follows: the portion of the use tax imposed by the county which equals **one-half** the rate of sales tax [levied pursuant to section 94.660, RSMo,] **in effect for such county** shall be disbursed to the [bi-state agency authorized pursuant to sections 70.370 to 70.441, RSMo, to be used only to provide the local share of construction costs for additional light rail lines] **county community comeback trust fund authorized pursuant to sections 67.478 to 67.493, RSMo**. The treasurer or such other officer as may be designated by county ordinance shall distribute one-third of the balance to the county and to each city, town and village in group B according to section 66.620, RSMo, as modified by this section, a portion of the remainder of such balance equal to the percentage ratio that the population of each such city, town or village bears to the total population of all such group B cities, towns and villages. For the purposes of this subsection, population shall be determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purposes of this subsection, each city, town or village in group A according to section 66.620, RSMo, but whose per capita sales tax receipts during the preceding calendar year pursuant to sections 66.600 to 66.630, RSMo, were less than the per capita countywide average of all sales tax receipts during the preceding calendar year, shall be treated as a group B city, town or village until the per capita amount distributed to such city, town or village equals the difference between the per capita sales tax receipts during the preceding calendar year and the per

capita countywide average of all sales tax receipts during the preceding calendar year.

3. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties or municipalities. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

4. Except as modified in [this act] **sections 144.757 to 144.761**, all provisions of sections 32.085 and 32.087, RSMo, applicable to the local sales tax, except for subsection 12 of section 32.087, RSMo, and all provisions of sections 144.600 to 144.745 shall apply to the tax imposed [under this act] **pursuant to sections 144.757 to 144.761**, and the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax.

144.761. 1. No county or municipality imposing a local use tax pursuant to [this act] **sections 144.757 to 144.761** may repeal or amend such local use tax unless such repeal or amendment is submitted to and approved by the voters of the county or municipality in the manner provided in section 144.757; provided, however, that the repeal of the local sales tax within the county or municipality shall be deemed to repeal the local use tax imposed [under this act] **pursuant to sections 144.757 to 144.761**.

2. Whenever the governing body of any county or municipality in which a local use tax has been imposed in the manner provided by [this act] **sections 144.757 to 144.761** receives a petition, signed by fifteen percent of the registered voters of such county or municipality voting in the last gubernatorial election, calling for an election to repeal such local use tax, the governing body shall submit to the voters of such county or municipality a proposal to repeal the county or municipality use tax imposed [under the provisions of this act] **pursuant to sections 144.757 to 144.761**. If a majority of the votes cast on the proposal by the registered voters voting thereon are in favor of the proposal to repeal the local use tax, then the ordinance or order imposing the local use tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal the local use tax, then the ordinance or order imposing the local use tax, along with any amendments thereto, shall remain in effect.”; and

Further amend said bill, Page 75, Section 348.432, Line 15 of said page, by inserting after all of said line the following:

“353.020. The following terms, whenever used or referred to in this chapter, mean:

(1) “Area”, that portion of the city which the legislative authority of such city has found or shall find to be blighted so that the clearance, replanning, rehabilitation, or reconstruction thereof is necessary to effectuate the purposes of this law. Any such area may include buildings or improvements not in themselves blighted, and any real property, whether improved or unimproved, the inclusion of which is deemed necessary for the effective clearance, replanning, reconstruction or rehabilitation of the area of which such buildings, improvements or real property form a part;

(2) “Blighted area”, that portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration, have become economic and social liabilities, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes;

(3) “City” or “such cities”, any city within this state **and any county of the first classification with a charter form of government and a population of at least nine hundred thousand inhabitants; provided that, such a county may exercise the authority granted by this chapter only within the unincorporated area of the county;**

(4) “Development plan”, a plan, together with any amendments thereto, for the development of all or any part of a blighted area, which is authorized by the legislative authority of any such city;

(5) “Legislative authority”, the city council or board of aldermen of the cities affected by this chapter;

(6) “Mortgage”, a mortgage, trust indenture, deed of trust, building and loan contract, or other instrument creating a lien on real property, to secure the payment of an indebtedness, and the indebtedness secured by any of them;

(7) “Real property” includes lands, buildings, improvements, land under water, waterfront property, and any and

all easements, franchises and hereditaments, corporeal or incorporeal, and every estate, interest, privilege, easement, franchise and right therein, or appurtenant thereto, legal or equitable, including restrictions of record, created by plat, covenant, or otherwise, rights-of-way, and terms for years;

(8) “Redevelopment”, the clearance, replanning, reconstruction or rehabilitation of any blighted area, and the provision for such industrial, commercial, residential or public structures and spaces as may be appropriate, including recreational and other facilities incidental or appurtenant thereto;

(9) “Redevelopment project”, a specific work or improvement to effectuate all or any part of a development plan;

(10) “Urban redevelopment corporation”, a corporation organized [under the provisions of] **pursuant to** this chapter; except that any life insurance company organized [under] **pursuant to** the laws of, or admitted to do business in, the state of Missouri may from time to time within five years after April 23, 1946, undertake, alone or in conjunction with, or as a lessee of any such life insurance company or urban redevelopment corporation, a redevelopment project [under] **pursuant to** this chapter, and shall, in its operations with respect to any such redevelopment project, but not otherwise, be deemed to be an urban redevelopment corporation for the purposes of this section and sections 353.010, 353.040, 353.060 and 353.110 to 353.160.”; and

Further amend said bill, Page 106, Section C, Line 12 of said page, by inserting after the word “**sections**” the following:

“67.478, 67.481, 67.484, 67.487, 67.490, 67.493,”; and further amend line 13 of said page, by inserting after the numeral “135.535,” the following: “144.757, 144.759, 144.761,”; and further amend line 14 of said page, by inserting after the numeral “348.302,” the numeral “353.020,”; and further amend line 18 of said page, by inserting after the word “sections” the following: “67.478, 67.481, 67.484, 67.487, 67.490, 67.493,”; and further amend line 19 of said page, by inserting after the numeral “135.535,” the following: “144.757, 144.759, 144.761,”; and further amend said line, by inserting after the numeral “348.302,” the numeral “353.020,”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 28

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 106, Section 620.1575, Line 5, by inserting immediately after said line:

“Section 7. In the event that any person, or entity, which has entered into a contract with the state or any political subdivision has been found, or has admitted to be, in violation of any state statute or regulation which relates to the performance of its contract, then that person or entity will be prohibited for three years from entering into any contracts with the state or any political subdivision.”; and

Further amend the title and enacting clauses accordingly.

Senate Amendment No. 29

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 and 1810, Page 11, Section 32.110, Line 5, by inserting immediately after said line the following:

“67.582. 1. The governing body of any county, except a county of the first class with a charter form of government with a population of greater than four hundred thousand inhabitants, is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo, for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section the ballot

shall contain substantially the following:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

G Yes

G No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to enter into agreements to form a regional jail district and obligates the county to make payments from the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) be authorized to enter into agreements for the purpose of forming a regional jail district and obligating the county to impose a countywide sales tax of (insert amount) to fund dollars of the costs to construct a regional jail and to fund the costs to operate a regional jail, with any funds in excess of that necessary to construct and operate such jail to be used for law enforcement purposes?

G Yes

G No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If the constitutionally required percentage of the voters voting thereon are in favor of the proposal submitted pursuant to subdivision (2) of this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing law enforcement services for such county for so long as the tax shall remain in effect. **Revenue placed in the special trust fund may also be utilized for capital improvement projects for law enforcement facilities and for the payment of any interest and principal on bonds issued for said capital improvement projects.**

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for providing law enforcement services for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue under this section on behalf of any county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "County Law Enforcement Sales Tax Trust Fund". The moneys in the county law enforcement sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county law enforcement sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the fund for any law enforcement functions authorized in the ordinance or order adopted by the governing body submitting the law enforcement tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice

to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

67.700. 1. Any county, as defined in section 67.724, may, by ordinance or order, impose a sales tax on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo, for any capital improvement purpose designated by the county in its ballot of submission to its voters; provided, however, that no ordinance or order enacted pursuant to the authority granted by sections 67.700 to 67.727 shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose a tax under the provisions of sections 67.700 to 67.727. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert capital improvement purpose)?

G YES

G NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax authorized by sections 67.700 to 67.727 unless and until the governing body of the county shall again have submitted another proposal to authorize it to impose the sales tax under the provisions of sections 67.700 to 67.727 and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by a county from the tax authorized by sections 67.700 to 67.727 which has been designated for a certain capital improvement purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the voters under subsection 2 of this section or if the tax authorized by sections 67.700 to 67.727 is repealed under section 67.721, all funds remaining in the special trust fund shall continue to be used solely for such designated capital improvement purpose, **including the payment of principle and interest on any bonds issued to pay for such capital improvement**. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

4. The sales tax may be imposed at a rate of **one-eighth of one percent**, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525, RSMo.

5. In addition to the rates provided in subsection 4 of this section, any county of the first class without a charter form of government which adjoins a county of the first class containing part of a city containing more than three hundred fifty thousand inhabitants and which also adjoins a county of the third class having a township form of government shall also be authorized to (1) levy such sales tax at a rate of one-eighth of one percent; or (2) levy such sales tax at a rate of one-fourth of one percent in conjunction with a reduction in its property tax levy or levies for general revenues or for funding the maintenance of roads and bridges, or both, for each year in which the sales tax is imposed. Such reduction shall be in an amount sufficient to decrease the property taxes it will collect by not less than fifty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied. If in the immediately preceding year a county actually collected less sales tax revenue than was projected for purposes of reducing its property tax levy or levies, the county shall adjust its property tax levy or levies for the current year to reflect such decrease. Any such county seeking voter approval of the sales tax alternative authorized in this subsection shall include in the ballot of submission authorized in subsection 2 of this section language clearly stating the appropriate percentage of the sales tax revenue shall be used for property tax reduction as provided herein. For purposes of this subsection, the term “sales tax revenue collected” shall have the meaning provided in section 67.500.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 30

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 and 1810, Page 11, Section 32.110, Line 5 of said page, by inserting at the end of said line the following:

“32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148, RSMo;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030, RSMo;
- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030, RSMo;
- (4) The tax on other financial institutions in chapter 148, RSMo;
- (5) The corporation franchise tax in chapter 147, RSMo;
- (6) The state income tax in chapter 143, RSMo; [and]
- (7) The annual tax on gross receipts of express companies in chapter 153, RSMo; **and**
- (8) The tax on net deposits, net premiums or net assets of insurance carriers as determined in section 287.690, RSMo.**

2. For proposals approved pursuant to section 32.100:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

- (a) An area that is not part of a standard metropolitan statistical area;
- (b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or
- (c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture.

Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460, RSMo. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by

section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530, RSMo, by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year;

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupants shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with provisions of sections 32.100 to 21.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 21.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.

6. The provisions of subdivision (8) of subsection 1 of this section shall apply to all tax years beginning on or after January 1, 2000.”.

Senate Amendment No. 31

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 75, Section 348.432, Line 14, by inserting after all of said line the following:

“393.705. As used in sections 393.700 to 393.770 and sections 386.025, RSMo, and 393.295, the following terms shall, unless the context clearly indicates otherwise, have the following meanings:

(1) “Bond” or “bonds”, any bonds, interim certificates, notes, debentures or other obligations of a commission issued pursuant to sections 393.700 to 393.770 and sections 386.025, RSMo, and 393.295;

(2) “Commission”, any joint municipal utility commission established by a joint contract under sections 393.700 to 393.770 and sections 386.025, RSMo, and 393.295;

(3) “Contracting municipality”, each municipality which is a party to a joint contract establishing a commission under sections 393.700 to 393.770 and sections 386.025, RSMo, and 393.295, a water supply district formed under the provisions of chapter 247, RSMo, or a sewer district formed pursuant to the provisions of chapter 204, RSMo, or chapter 249, RSMo;

(4) “Joint contract”, the contract entered into among or by and between two or more [contracting municipalities, between municipalities and public water supply districts, or between municipalities and sewer districts] **of the following contracting entities** for the purpose of establishing a commission:

(a) Municipalities;

(b) Public water supply districts;

(c) Sewer districts;

(d) Nonprofit water companies; or

(e) Nonprofit sewer companies;

(5) “Person”, a natural person, cooperative or private corporation, association, firm, partnership, or business trust of any nature whatsoever, organized and existing under the laws of any state or of the United States and any municipality or other municipal corporation, governmental unit, or public corporation created under the laws of this state or the United States, and any person, board, or other body declared by the laws of any state or the United States to be a department, agency or instrumentality thereof;

(6) “Project”, the purchasing, construction, extending or improving of any revenue-producing water, sewage, gas or electric light works, heating or power plants, including all real and personal property of any nature whatsoever to be used in connection therewith, together with all parts thereof and appurtenances thereto, used or useful in the generation, production, transmission, distribution excluding retail sales, purchase, sale, exchange, transport and treatment of sewage or interchange of water, sewage, electric power and energy, or any interest therein or right to capacity thereof and the acquisition of fuel of any kind for any such purposes.

393.715. 1. The general powers of a commission to the extent provided in section 393.710 herein and subject to the provisions of section 393.765 herein shall include the power to:

(1) Plan, develop, acquire, construct, reconstruct, operate, manage, dispose of, participate in, maintain, repair, extend or improve one or more projects, either exclusively or jointly or by participation with electric cooperative associations, municipally owned or public utilities or acquire any interest in or any rights to capacity of a project, within or outside the state, and act as an agent, or designate one or more other persons participating in a project to act as its agent, in connection with the planning, acquisition, construction, operation, maintenance, repair, extension or improvement of such project;

(2) Acquire, sell, distribute and process fuels necessary to the production of electric power and energy; provided, however, the commission shall not have the power or authority to erect, own, use or maintain a transmission line which is parallel or generally parallel to another transmission line in place within a distance of two miles, which serves the same general area sought to be served by the commission unless the public service commission finds that it is not feasible to utilize the transmission line which is in place;

(3) Acquire by purchase or lease, construct, install, and operate reservoirs, pipelines, wells, check dams, pumping stations, water purification plants, and other facilities for the production, wholesale distribution, and utilization of water and to own and hold such real and personal property as may be necessary to carry out the purposes of its organization; provided, however, that a commission shall not sell or distribute water, at retail or wholesale, within the certificated area of a water corporation which is subject to the jurisdiction of the public service commission unless the sale or distribution of water is within the boundaries of a public water supply district or municipality which is a contracting municipality in the commission and the commission has obtained the approval of the public service commission prior to commencing

such said sale or distribution of water;

(4) Acquire by purchase or lease, construct, install, and operate lagoons, pipelines, wells, pumping stations, sewage treatment plants and other facilities for the treatment and transportation of sewage and to own and hold such real and personal property as may be necessary to carry out the purposes of its organization;

(5) Enter into operating, franchises, exchange, interchange, pooling, wheeling, transmission and other similar agreements with any person;

(6) Make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the commission;

(7) Employ agents and employees;

(8) Contract with any person, within or outside the state, for the construction of any project or for any interest therein or any right to capacity thereof, without advertising for bids, preparing final plans and specifications in advance of construction, or securing performance and payment of bonds, except to the extent and on such terms as its board of directors shall determine. Any contract entered into pursuant to this subdivision shall contain a provision that the requirements of sections 290.210 to 290.340, RSMo, shall apply;

(9) Purchase, sell, exchange, transmit, treat, dispose or distribute water, sewage, gas, heat or electric power and energy, or any by-product resulting therefrom, within and outside the state, in such amounts as it shall determine to be necessary and appropriate to make the most effective use of its powers and to meet its responsibilities, and to enter into agreements with any person with respect to such purchase, sale, exchange, treatment, disposal or transmission, on such terms and for such period of time as its board of directors shall determine. A commission may not sell or distribute water, gas, heat or power and energy, or sell sewage service at retail to ultimate customers outside the boundary limits of its contracting municipalities except pursuant to subsection 2 or 3 of this section;

(10) Acquire, own, hold, use, lease, as lessor or lessee, sell or otherwise dispose of, mortgage, pledge, or grant a security interest in any real or personal property, commodity or service or interest therein;

(11) Exercise the powers of eminent domain for public use as provided in chapter 523, RSMo, except that the power of eminent domain shall not be exercised against any electric cooperative association, municipally owned or public utility;

(12) Incur debts, liabilities or obligations including the issuance of bonds pursuant to the authority granted in section 27 of article VI of the Missouri Constitution;

(13) Sue and be sued in its own name;

(14) Have and use a corporate seal;

(15) Fix, maintain and revise fees, rates, rents and charges for functions, services, facilities or commodities provided by the commission;

(16) Make, and from time to time, amend and repeal, bylaws, rules and regulations not inconsistent with this section to carry into effect the powers and purposes of the commission;

(17) Notwithstanding the provisions of any other law, invest any funds held in reserve or sinking funds, or any funds not required for immediate disbursement, including the proceeds from the sale of any bonds, in such obligations, securities and other investments as the commission deems proper;

(18) Join organizations, membership in which is deemed by the board of directors to be beneficial to accomplishment of the commission's purposes;

(19) Exercise any other powers which are deemed necessary and convenient by the commission to effectuate the purposes of the commission; and

(20) Do and perform any acts and things authorized by this section under, through or by means of an agent or by contracts with any person.

2. When a municipality purchases a privately owned water utility and a commission is created pursuant to sections 393.700 to 393.770, the commission may continue to serve those locations previously receiving water from the private utility even though the location receives such service outside the geographical area of the municipalities forming the commission. New water service may be provided in such areas if the site to receive such service is located within one-fourth of a mile from a site serviced by the privately owned water utility.

3. When a commission created by any of the contracting entities listed in subdivision (4) of section 393.705 becomes a successor to any nonprofit water corporation, nonprofit sewer corporation or other nonprofit agency or entity organized to provide water or sewer service, the commission may continue to serve those locations and areas previously receiving water or sewer service from such nonprofit entity, regardless of whether or not such location receives such service outside the geographical service area of the contracting entities forming such commission; and provided further that such locations and areas previously receiving service from such nonprofit

entity are not located within:

(a) Any county of the first classification with a population of more than six hundred thousand and less than nine hundred thousand;

(b) The boundaries of any sewer district established pursuant to article VI, section 30(a) of the Missouri Constitution; or

(c) The certificated area of a water corporation that is subject to the jurisdiction of the public service commission. New water or sewer service may be provided by the commission in all areas previously serviced by the nonprofit entity.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 32

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 64, Section 205.577, Line 17, by inserting after all of said line the following:

“247.030. 1. Territory that may be included in a district sought to be incorporated or enlarged may be wholly within one or in more than one county, may take in school districts or parts thereof, and cities that do not have a waterworks system or cities whose governing body has by a majority vote requested that the city or part thereof be included within the boundaries of a public water supply district. For the purpose of this section, “city” means any city, town or village. The territory, however, shall be contiguous, and proceedings to incorporate shall be in the circuit court of the county in which the largest acreage is located. No two districts shall overlap.

2. Any two or more contiguous districts or any city and a contiguous district may, if there are no outstanding general obligation bonds relating to drinking water supply projects in either entity, by a majority vote of the governing body of each entity, provide for territory located in one entity to be annexed and served by the entity contiguous to the annexed territory. Notice of the proposed annexation shall be filed with the circuit court that originally issued the decree of incorporation for a district which is detaching territory through the proposed annexation or with the circuit court that originally issued the decree of incorporation for a district which is including a city or part thereof through the proposed annexation. The court shall set a date for a hearing on the proposed annexation and shall cause notice to be published in the same manner as for the filing of the original petition for incorporation; except that publication of notice shall not be required if a majority of the landowners in the territory proposed to be annexed consent in writing, and if notice of the hearing is posted in three public places within the territory proposed to be annexed at least seven days before the date of the hearing. If publication of the notice is not required pursuant to this section, the court shall only approve the proposed annexation if there is sworn testimony by at least five landowners in the area of the proposed annexation, or a majority of the landowners, if there are fewer than ten landowners in the area. If the court, after the hearing, finds that the proposed annexation would not be in the public interest, it shall order that the annexation not be allowed. If the court finds the proposed annexation to be in the public interest, it shall approve the annexation and the territory shall be detached from the one entity and annexed to the other. After the annexation is approved, the circuit court in which each district involved in the proceedings was incorporated shall amend the decree of incorporation for each district to reflect the change in the boundaries as a result of the annexation and to redivide each district into five subdistricts, fixing their boundary lines so that each of the five subdistricts have approximately the same area. A certified copy of the amended decree showing the boundary change and the new subdistricts shall be filed in the office of the recorder of deeds and in the office of the county clerk in each county having territory in the district and in the office of the secretary of state of the state of Missouri.

3. The boundaries of any district may be extended or enlarged from time to time upon the filing, with the clerk of the circuit court having jurisdiction, of a petition by either:

(1) The board of directors of the district and five or more voters within the territory proposed to be annexed by the district; or

(2) A majority of the landowners within the territory proposed to be annexed to the district.

If the petition is filed by a majority of the landowners within the territory proposed to be annexed, the publication of notice shall not be required, provided notice is posted in three public places within the territory proposed to be annexed at least seven days before the date of the hearing and provided that there is sworn testimony by at least five landowners in the territory proposed to be annexed, or a majority of the landowners if the total landowners in the area are fewer than ten. Upon the entry of a final order declaring the court's decree of annexation to be final and conclusive, the court shall

modify or rearrange the boundary lines of the subdistricts as may be necessary or advisable. The costs incurred in the enlargement or extension of the district shall be taxed to the district, if the district be enlarged or extended, otherwise against the petitioners; provided, however, that no costs shall be taxed to the directors of the district.

4. Should any voter who owns real estate that abuts upon a district once formed desire to have such real estate incorporated in the district, the voter shall first petition the board of directors thereof for its approval. If such approval be granted, the clerk of the board shall endorse a certificate of the fact of approval by the board upon the petition. The petition so endorsed shall be filed with the clerk of the circuit court in which the district is incorporated. It shall then be the duty of the court to amend the boundaries of such district by a decree incorporating the real estate in the same. A certified copy of this decree including the real estate in the district shall then be filed in the office of the recorder and in the office of the county clerk of the county in which the real estate is located, and in the office of the secretary of state. The costs of this proceeding shall be borne by the petitioning property owner.

5. In the event that the district becomes the successor, upon dissolution, to any joint municipal utility commission established by the district and any of the contracting entities described in subdivision (4) of section 393.705, RSMo, then, upon the petition of the board of directors to the circuit court, the court shall amend the boundaries of such district to incorporate any area previously served by the dissolved joint municipal utility commission that the district intends to continue to serve with water or sewer service. The court shall also modify or rearrange the boundary lines of the subdistricts as may be necessary or advisable.

247.050. The following powers are hereby conferred upon public water supply districts organized under the provisions of sections 247.010 to 247.220:

- (1) To sue and be sued;
- (2) To purchase or otherwise acquire water for the necessities of the district;
- (3) To accept by gift any funds or property for the uses and purposes of the district;
- (4) To dispose of property belonging to the district, under the conditions expressed in sections 247.010 to 247.220;
- (5) To build, acquire by purchase or otherwise, enlarge, improve, extend and maintain a system of waterworks, including fire hydrants;
- (6) To contract and be contracted with;
- (7) To condemn private property within or without the district, needed for the uses and purposes in sections 247.010 to 247.220 provided for;
- (8) To lease, acquire and own any and all property, equipment and supplies needed within or without the district in the successful operation of a waterworks system;
- (9) To contract indebtedness and issue general or special obligation bonds, or both, of the district therefor, as herein provided;
- (10) To acquire by purchase or otherwise, a system of waterworks, and to build, enlarge, improve, extend and equip such system for the uses and purposes of the district;
- (11) To certify to the county commission or county commissions of the county or counties within which such district is situate, the amount or amounts to be provided by the levy of a tax upon all taxable property within the district to create an interest and sinking fund for the payment of general obligation bonds of the district and the interest thereon; and also
- (12) To create an incidental fund to take care of all costs and expenses incurred in incorporating the district, and all obligations contracted prior thereto and connected therewith; and
- (13) To purchase equipment and supplies needed in the operation of the water system of the district; provided, however, that the power to create an incidental fund by the levy of a general property tax shall cease after two annual levies therefor shall have been made, and such levy shall not exceed fifteen cents per annum on each one hundred dollars assessed valuation of taxable property within the district;
- (14) To provide for the collection of taxes and rates or charges for water and water service;
- (15) To sell and distribute water to the inhabitants of the district and to consumers outside the district, delivered within or at the boundaries of the district; **provided that, upon dissolution of any joint municipal utility commission established by the district and any municipality, public water supply district, sewer district, nonprofit water company or nonprofit sewer company, the district may continue to serve those locations and areas previously receiving service from the commission, regardless of whether or not such location receives such service outside the boundaries of such district; and provided further that such locations and areas previously receiving service from the commission are not located within:**
 - (a) Any county of the first classification with a population of more than six hundred thousand and less than nine hundred thousand;

(b) The boundaries of any sewer district established pursuant to article VI, section 30(a) of the Missouri Constitution; or

(c) The certificated area of a water corporation that is subject to the jurisdiction of the public service commission;

(16) To fix rates for the sale of water; and

(17) To make general rules and regulations in relation to the management of the affairs of the district.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 33

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 27, Section 71.794, Line 6, by inserting after all of said line the following:

“99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the “Special Allocation Fund” of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861, RSMo. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031, RSMo, until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(3) For purposes of this section, “levies upon taxable real property in such redevelopment project by taxing districts” shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X, of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment

project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, RSMo, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, or effective January 1, 1998, taxes levied for the purpose of public transportation pursuant to section 94.660, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. For redevelopment projects proposed on or after July 1, 2001, in any county of the first classification with a charter form of government with a population of at least two hundred twelve thousand but less than two hundred fourteen thousand, prior to a municipality passing an ordinance adopting tax increment allocation financing, approval is required of any taxing district which would be required to make payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project, before the payments in lieu of taxes of that taxing district may be included in tax increment allocation financing. The taxing district may register its approval by adoption of a resolution.

5. For redevelopment projects proposed on or after July 1, 2001, in any county of the first classification with a charter form of government with a population of at least two hundred twelve thousand but less than two hundred fourteen thousand, prior to a municipality passing an ordinance adopting tax increment allocation financing, approval is required of any taxing district which would be required to make payment of a portion of additional revenue from taxes imposed by that taxing district which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, before the increased economic activity taxes of that taxing district may be included in tax increment allocation financing. The taxing district shall register its approval by adoption of an ordinance.

[4.] **6.** Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections [4 to 12] **6 to 14** of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection [8] **10** of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection [10] **12** of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection [10] **12** of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

[5.] **7.** The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

[6.] **8.** No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall

be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

[7.] **9.** In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection [10] **12** of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

[8.] **10.** For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, RSMo, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, RSMo, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection [10] **12** of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221, RSMo, at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

[9.] **11.** Subsection [4] **6** of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, RSMo, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

[10.] **12.** The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections [4 and 5] **6 and 7** of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of

section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the aggregate annual appropriation of the new state revenues for redevelopment areas exceed fifteen million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

[11.] **13.** In addition to the areas authorized in subsection [9] **11** of this section, the funding authorized pursuant to subsection [4] **6** of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

[12.] **14.** There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections [4 and 5] **6 and 7** of this section if and only if the conditions of subsection [10] **12** of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

[13.] **15.** All personnel and other costs incurred by the department of economic development for the administration and operation of subsections [4 to 12] **6 to 14** of this section shall be paid from the state general revenue fund. On an annual basis, the general revenue fund shall be reimbursed for the full amount of such costs by the developer or developers of the project or projects for which municipalities have made tax increment financing applications for the appropriation of new state revenues, as provided for in subdivision (1) of subsection [10] **12** of this section. The amount of costs charged to each developer shall be based upon the percentage arrived at by dividing the monetary amount of the application made by each municipality for a particular project by the total monetary amount of all applications received by the department of economic development."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 34

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 57, Section 135.535, Line 4, by inserting after all of said line the following:

“135.760. 1. For all taxable years beginning on or after January 1, 2001, a resident individual who is allowed a federal earned income tax credit pursuant to section 32 of the Internal Revenue Code shall be allowed a credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to one-half percent of the allowable federal earned income tax credit. The tax credit allowed by this section shall be claimed by such individual at the time such individual files a return and shall be applied against the income tax liability imposed by chapter 143, RSMo. Where the amount of the credit exceeds the tax liability, the difference shall be refunded to the taxpayer or carried forward into any subsequent taxable year.

2. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

3. Notwithstanding the provision of subsection 4 of section 32.057, RSMo, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to subsection 1 of this section may qualify for the credit, and shall notify any qualified claimant of his or her potential eligibility, where the department determines such potential eligibility exists.

4. Any tax credit allowed pursuant to this section shall be excluded from the calculation of Missouri adjusted gross income, as defined in section 143.121, RSMo.”; and

Further amend the title and enacting clause accordingly; and

Further amend said bill, Page 1-2, In the Title, last line of Page 1, by striking all of said lines and inserting in lieu thereof **“new section relating to the same subject”**; and

Further amend said bill, Page 1, in the Title, Line 3, by striking **“sales tax exemptions”** and inserting in lieu thereof **“taxation”**; and

Further amend said bill, Title, Last Line of Page 1 and first two lines Page 2, by striking **“tax credit programs administered by the department of economic development”** and inserting in lieu thereof the following: **“taxation”**.

Senate Amendment No. 36

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 106, Section 620.1575, Line 5, by inserting immediately after said line the following:

“Section 1. For any project approved and adopted by a political subdivision located within a city having a population of at least one hundred forty-nine thousand, located in a noncharter county of the first classification with a population of at least two hundred seven thousand, which has complied with subsections 4 to 12 of section 99.845, RSMo, in addition to the payments in subsections 1, 2, 3 and 10 of section 99.845, RSMo, an additional fifty percent of new state revenues may be appropriated by the general assembly in accordance with procedures in subsection 10 of section 99.845, RSMo, provided new sales tax revenues generated by sales inside or on the grounds of, or sales of tickets to any event in, or parking associated with a project defined by section 67.639, RSMo, are used solely for the purpose of development and construction of the project including related public infrastructure and the repayment of any indebtedness or other obligations incurred for the project. The determination of declining population or property taxes required by subdivision (1) of subsection 9 of section 99.845, RSMo, shall be based upon decennial census data.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 39

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 48, Section 135.484, Line 2, by inserting after all of said line the following:

“135.530. For the purposes of sections 100.010, 100.710 and 100.850, RSMo, sections 135.110, 135.200, 135.258, 135.313, 135.403, 135.405, 135.503, 135.530 and 135.545, section 215.030, RSMo, sections 348.300 and 348.302, RSMo, and sections 620.1400 to 620.1460, RSMo, “**distressed community**” means either a Missouri municipality within a metropolitan statistical area which has a median household income of under seventy percent of the median household income for the metropolitan statistical area, according to the last decennial census, or a United States census block group or contiguous group of block groups within a metropolitan statistical area which has a population of at least two thousand five hundred, and each block group having a median household income of under seventy percent of the median household income for the metropolitan area in Missouri, according to the last decennial census. In addition the definition shall include municipalities not in a metropolitan statistical area, with a median household income of under seventy percent of the median household income for the nonmetropolitan areas in Missouri according to the last decennial census or a census block group or contiguous group of block groups which has a population of at least two thousand five hundred each block group having a median household income of under seventy percent of the median household income for the nonmetropolitan areas of Missouri, according to the last decennial census. **In addition the definition shall include the area bounded on the North by the Missouri River, on the East by Interstate 435, on the South by 80th Street, and on the West by Troost, in a city with a population of at least four hundred thousand and located in more than one county**”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 40

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Pages 60-64, Sections 205.571-205.575, by deleting all of said sections; and

Further amend said bill, page 64, section 205.577, lines 4 and 5 of said page, by deleting the words “**Family and Community Trust**” on said lines and inserting in lieu thereof the words “**Caring Communities-Children's Services Commission Oversight Board**”; and

Further amend said bill, page and section, lines 4-10, by deleting all of said lines after the “.” on line 4; and

Further amend said bill, page and section, line 12, by deleting the words “**family and community trust**” and inserting in lieu thereof the words “**caring communities**”.

Senate Amendment No. 41

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 106, Section 620.1575, Line 5 of said page, by inserting immediately after said line the following:

“Section 1. The state's portion of all sales tax revenue collected pursuant to sections 144.010 to 144.525, RSMo, when generated by sales inside, on the grounds of, or for tickets to any event in any:

(1) Sports complex located in any county of the first classification with a charter form of government and having a population of more than six hundred thousand but less than nine hundred thousand inhabitants, provided that such complex is under the jurisdiction of any sports complex authority created pursuant to sections 64.920 to 64.950, RSMo, shall, subject to appropriations, be placed in the convention and sports complex fund established pursuant to section 67.639, RSMo; or

(2) Multi-purpose facility located in and owned by any constitutional charter city not within a county for so long as said multi-purpose facility is owned by said constitutional charter city not within a county, shall, subject to appropriation, be placed in a specially designated account established by the collector of revenue of said constitutional charter city not within a county which account shall not, the provisions of section 33.080, RSMo, to the contrary notwithstanding, be transferred and placed to the credit of the general revenue fund at the end of each biennium, for the sole purpose of maintenance and refurbishment of such complex or facility respectively, including the repayment of any indebtedness or other obligations incurred for maintenance and

refurbishment. Such moneys shall, where applicable, be in addition to any amount appropriated pursuant to section 67.641, RSMo, to any convention and sports complex fund created pursuant to section 67.639, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 42

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 106, Section 620.1575, Line 5, by inserting after all of said line the following:

“Section 1. Regional research consortia within a city which lies partially or wholly within an area designated as a distressed community may apply for grants from the state for the purpose of conducting health research, including research into the prevention and cessation of smoking.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 43

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 27, Section 71.794, Line 6 of said page, by inserting after all of said line the following:

“99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the “Special Allocation Fund” of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861, RSMo. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031, RSMo, until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(3) For purposes of this section, “levies upon taxable real property in such redevelopment project by taxing

districts” shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X, of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, RSMo, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, or effective January 1, 1998, taxes levied for the purpose of public transportation pursuant to section 94.660, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4

of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, RSMo, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, RSMo, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221, RSMo, at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, RSMo, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; [or]

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand; **or**

(3) Contains the site of a county convention and sports facilities authority established pursuant to sections 67.1150 to 67.1158, RSMo.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by

employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the aggregate annual appropriation of the new state revenues for redevelopment areas exceed fifteen million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. All personnel and other costs incurred by the department of economic development for the administration and operation of subsections 4 to 12 of this section shall be paid from the state general revenue fund. On an annual basis, the general revenue fund shall be reimbursed for the full amount of such costs by the developer or developers of the project or projects for which municipalities have made tax increment financing applications for the appropriation of new state revenues, as provided for in subdivision (1) of subsection 10 of this section. The amount of costs charged to each developer shall be based upon the percentage arrived at by dividing the monetary amount of the application made by each municipality for a particular project by the total monetary amount of all applications received by the department of economic development.""; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 45

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 57, Section 135.766, Line 16, by inserting after all of said line the following:

"144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.748, and section 238.235, RSMo, and the provisions of any local sales tax law, as defined in section 32.085, RSMo, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to 144.748, and section 238.235, RSMo, and the provisions of any local sales tax law, as defined in section 32.085, RSMo[.];

(a) All sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars

of state sales and use taxes in such calendar year **and, except as provided in subsection 4 of Section 155.080, shall be exempt from taxation on the first one million dollars of sales tax or purchases other than aviation jet fuel; and**

(b) Any common carrier engaged in the interstate air transportation of passengers and cargo which has a national corporate headquarters located in this state and uses as a hub for its operations an airport located within this state, and either purchases, stores, uses or consumes within this state less than three million gallons of aviation jet fuel per month on average throughout the calendar year shall, except as provided in subsection 4 of section 155.080, be exempt from taxation on the first one hundred fifty thousand dollars on the purchase of aviation jet fuel.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable [to the aviation jet fuel so purchased, stored, used and consumed]. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year, **or up to the maximum aggregate amount of one hundred fifty thousand dollars in each calendar year, whichever is applicable.** The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. [Effective September 1, 1998, all sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701, for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 305.230, RSMo; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed five million dollars in each calendar year.

5.] The provisions of this section and section 144.807 shall expire on December 31, [2003] **2004.**

155.080. 1. There is hereby imposed a use tax on each gallon of aviation fuel used in propelling aircraft with reciprocating engines. The tax is imposed at the rate of nine cents per gallon. Such tax is to be collected and remitted to this state or paid to this state in the same manner and method and at the same time as is prescribed by chapter 142, RSMo, for the collection of the motor fuel tax imposed on each gallon of motor fuel used in propelling motor vehicles upon the public highways of Missouri.

2. All applicable provisions contained in chapter 142, RSMo, governing administration, collection and enforcement of the state motor fuel tax shall apply to this section, including but not limited to reporting, penalties and interest.

3. Each commercial agricultural aircraft operator may apply for a refund of the tax it has paid for aviation fuel used in a commercial agricultural aircraft. All such applications for refunds shall be made in accordance with the procedures specified in chapter 142, RSMo, for refunds of motor fuel taxes paid. If any person who is eligible to receive a refund of aviation fuel tax fails to apply for a refund as provided in chapter 142, RSMo, he makes a gift of his refund to the aviation trust fund.

4. Effective from September 1, 1998 until December 31, 2008, all sales and use tax revenues upon aviation jet fuel received pursuant to chapter 144, RSMo, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701, RSMo, for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 305.230, RSMo; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not be less than that credited in fiscal year 2001 and shall not exceed six million dollars in each calendar year.

305.230. 1. The state highways and transportation commission shall administer an aeronautics program within this state. The state commission shall encourage, foster and participate with the political subdivisions of this state in the promotion and development of aeronautics. The state commission may provide financial assistance in the form of grants from funds appropriated for such purpose to any political subdivision or instrumentality of this state acting independently or jointly or to the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration for the planning, acquisition, construction, improvement or maintenance of airports, or for other aeronautical purposes.

2. Any political subdivision or instrumentality of this state or the owner or owners of any privately owned airport

designated as a reliever by the Federal Aviation Administration receiving state funds for the purchase, construction, or improvement, except maintenance, of an airport shall agree before any funds are paid to it to control by ownership or lease the airport for a period equal to the useful life of the project as determined by the state commission following the last payment of state or federal funds to it. In the event an airport authority ceases to exist for any reason, this obligation shall be carried out by the governing body which created the authority.

3. Unless otherwise provided, grants to political subdivisions, instrumentalities or to the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration shall be made from the aviation trust fund. In making grants, the commission shall consider whether the local community has given financial support to the airport in the past. Priority shall be given to airports with local funding for the past five years with no reduction in such funding. The aviation trust fund is a revolving trust fund exempt from the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue funds of the state by the state treasurer. All interest earned upon the balance in the aviation trust fund shall be deposited to the credit of the same fund.

4. The moneys in the aviation trust fund shall be administered by the state commission and, when appropriated, shall be used for the following purposes:

(1) As matching funds on an up to [eighty] **ninety** percent state/[twenty] **ten** percent local basis, except in the case where federal funds are being matched, when the ratio of state and local funds used to match the federal funds shall be fifty percent state/fifty percent local:

(a) For preventive maintenance of runways, taxiways and aircraft parking areas, and for emergency repairs of the same;

(b) For the acquisition of land for the development and improvement of airports;

(c) For the earthwork and drainage necessary for the construction, reconstruction or repair of runways, taxiways, and aircraft parking areas;

(d) For the construction, or restoration of runways, taxiways, or aircraft parking areas;

(e) For the acquisition of land or easements necessary to satisfy Federal Aviation Administration safety requirements;

(f) For the identification, marking or removal of natural or manmade obstructions to airport control zone surfaces and safety areas;

(g) For the installation of runway, taxiway, boundary, ramp, or obstruction lights, together with any work directly related to the electrical equipment;

(h) For the erection of fencing on or around the perimeter of an airport;

(i) For purchase, installation or repair of air navigational and landing aid facilities and communication equipment;

(j) For engineering related to a project funded under the provisions of this section and technical studies or consultation related to aeronautics;

(k) For airport planning projects including master plans and site selection for development of new airports, for updating or establishing master plans and airport layout plans at existing airports;

(l) For the purchase, installation, or repair of safety equipment and such other capital improvements and equipment as may be required for the safe and efficient operation of the airport;

(2) As total funds, with no local match:

(a) For providing air markers, windsocks, and other items determined to be in the interest of the safety of the general flying public;

(b) For the printing and distribution of state aeronautical charts and state airport directories on an annual basis, and a newsletter on a quarterly basis or the publishing and distribution of any public interest information deemed necessary by the state commission;

(c) For the conducting of aviation safety workshops;

(d) For the promotion of aerospace education;

(3) As total funds with no local match, up to five hundred thousand dollars per year may be used for the cost of operating existing air traffic control towers that do not receive funding from the Federal Aviation Administration or the Department of Defense, except no more than one hundred twenty-five thousand dollars per year may be used for any individual control tower.

5. In the event of a natural or manmade disaster which closes any runway or renders inoperative any electronic or visual landing aid at an airport, any funds appropriated for the purpose of capital improvements or maintenance of airports may be made immediately available for necessary repairs once they are approved by the Missouri department of transportation. For projects designated as emergencies by the Missouri department of transportation, all requirements relating to normal procurement of engineering and construction services are waived.

6. As used in this section, the term “instrumentality of the state” shall mean any state educational institution as defined in section 176.010, RSMo, or any state agency which owned or operated an airport on January 1, 1997, and continues to own or operate such airport.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 46

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, Page 64, Section 205.577, Line 17, by inserting after the period on said line the following:

“The provisions of sections 205.571 through 205.577 shall expire on Jan. 1, 2004.”.

Senate Amendment No. 47

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 and 1810, Page 106, Section 620.1575, Line 5, by inserting immediately after said line the following:

“Section 1. For every corporation who shall enter into a transaction for the sale of land to the institution referred to in section 174.600, RSMo, such corporation shall be entitled to an income tax credit equal to fifty percent of the amount the purchase price of such land is less than the assessed value of such land operating as an institution defined in subsection 2 of section 197.020, RSMo.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCR 37** and has taken up and passed **HS HCS SCR 37**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SB 724** and has taken up and passed **HS HCS SB 724**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 741, as amended**, and has taken up and passed **HCS SB 741**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS SS SCS SBs 867 & 552, as amended**, and has taken up and passed **HS SS SCS SBs 867 & 552, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1386 & 1086**, entitled:

An act to repeal sections 660.250, 660.260 and 660.300, RSMo 1994, and sections 210.903, 210.909, 210.915 and 210.936, RSMo Supp. 1999, relating to care for the elderly or disabled, and to enact in lieu thereof ten new sections relating to the same subject, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 3, as amended, Senate Amendment No. 1 to Senate Amendment No. 4, Senate Amendment No. 4, as amended

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1386 & 1086, Page 7, Section 660.300, Line 34, by striking the following: "9 CSR 30-4.025" and inserting in lieu thereof the following:

"9 CSR 30-4.030".

Senate Amendment No. 1

to

Senate Amendment No. 3

AMEND Senate Amendment No. 3 to Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1386 & 1086, Page 21, Section 455.230, Line 15, by inserting after all of said line the following:

"455.300. 1. There is hereby established the "Missouri Domestic Violence Commission" within the department of public safety, to study solutions for domestic violence in Missouri. The commission shall be composed of the following members:

(1) One judge of a juvenile court, who shall be appointed by the chief justice of the supreme court;
(2) One judge of a family court, who shall be appointed by the chief justice of the supreme court; and
(3) Nine members of the general public, five of whom shall represent domestic violence providers and one of whom shall represent a state-wide coalition against domestic violence. All members shall serve for as long as they hold the position which made them eligible for appointment to the Missouri domestic violence commission under this subsection. All members shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

2. All meetings of the Missouri domestic violence commission shall be open to the public and shall, for all purposes, be deemed open public meetings under the provisions of sections 610.010 to 610.030, RSMo. The Missouri domestic violence commission shall meet no less than once every two months, and shall hold its first meeting no later than sixty days after January 1, 2001. Notice of all meetings of the commission shall be given to the general assembly in the same manner required for notifying the general public of meetings of the general assembly.

3. The Missouri domestic violence commission may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers.

4. The commission shall elect from amongst its members a chairman, vice chairman, a secretary reporter, and such other officers as it deems necessary.

5. The services of the personnel of any agency from which the director or deputy director is a member of the commission shall be made available to the commission at the discretion of such director or deputy director. All meetings of the commission shall be held in the state of Missouri.

6. The commission, by majority vote, may invite individuals representing local and federal agencies or private organizations and the general public to serve as ex officio members of the commission. Such individuals shall not have a vote in commission business and shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

455.305. 1. Beginning in 2001, the department of social services and the Missouri domestic violence commission established pursuant to this chapter, shall establish and administer up to twenty domestic violence intervention/rehabilitation pilot projects. Such projects shall operate as satellite projects through existing

domestic violence prevention facilities where no such facilities exist for the following purposes:

(1) To implement, expand, and establish cooperative efforts between law enforcement officers, prosecutors, victim advocacy groups, and other related parties to investigate and prosecute incidents of domestic violence;

(2) To prevent domestic violence and provide immediate shelter for victims of domestic violence;

(3) To provide treatment and counseling to victims of domestic violence; and

(4) To work in cooperation with the community to develop education and prevention strategies regarding domestic violence.

2. Funding for the pilot programs shall be subject to appropriation.

3. The department and the commission shall promulgate rules and regulations, pursuant to chapter 536, RSMo, to implement, administer, and monitor the pilot projects. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

4. Beginning in 2001, the department and the commission shall submit an annual report of its activities to the speaker of the house of representatives, the president pro tem of the senate, and the governor before December thirty-first of each year.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1386 & 1086, Page 1, Section A, Line 4, by inserting after all of said line the following:

“43.505. 1. The department of public safety is hereby designated as the central repository for the collection, maintenance, analysis and reporting of crime incident activity generated by law enforcement agencies in this state. The department shall develop and operate a uniform crime reporting system that is compatible with the national uniform crime reporting system operated by the Federal Bureau of Investigation.

2. The department of public safety shall:

(1) Develop, operate and maintain an information system for the collection, storage, maintenance, analysis and retrieval of crime incident and arrest reports from Missouri law enforcement agencies;

(2) Compile the statistical data and forward such data as required to the Federal Bureau of Investigation or the appropriate Department of Justice agency in accordance with the standards and procedures of the national system;

(3) Provide the forms, formats, procedures, standards and related training or training assistance to all law enforcement agencies in the state as necessary for such agencies to report incident and arrest activity for timely inclusion into the statewide system;

(4) Annually publish a report on the nature and extent of crime and submit such report to the governor and the general assembly. Such report and other statistical reports shall be made available to state and local law enforcement agencies and the general public through an electronic or manual medium;

(5) Maintain the privacy and security of information in accordance with applicable state and federal laws, regulations and orders; and

(6) In accordance with the provisions of chapter 536, RSMo, establish such rules and regulations as are necessary for implementing the provisions of this section.

3. Every law enforcement agency in the state shall:

(1) Submit crime incident reports to the department of public safety on forms or in the format prescribed by the department; and

(2) Submit any other crime incident information which may be required by the department of public safety.

4. Any law enforcement agency that violates this section may be ineligible to receive state or federal funds which would otherwise be paid to such agency for law enforcement, safety or criminal justice purposes.”; and

Further amend said bill, Page 3, Section 210.936, Line 4, by inserting after all of said line the following:

“375.1312. 1. As used in this section, the following terms mean:

(1) “Domestic violence”, the occurrence of **stalking or** one or more of the following acts between family or household members:

(a) Attempting to cause or intentionally or knowingly causing bodily injury or physical harm;

(b) Knowingly engaging in a course of conduct or repeatedly committing acts toward another person under circumstances that place the person in reasonable fear of bodily injury or physical harm; or

(c) Knowingly committing forcible rape, sexual assault or forcible sodomy, as defined in chapter 566, RSMo;

(2) “Family or household member”, [a spouse, former spouse, person living with another person, whether or not as spouses, parent or other adult person related by consanguinity or affinity who is residing or has resided with the person committing the domestic violence and dependents of such persons] **spouses, former spouses, adults related by blood or marriage, adults who are presently residing together or have resided together in the past and adults who have a child in common regardless of whether they have been married or have resided together at any time;**

(3) “Innocent coinsured”, an insured who did not cooperate in or contribute to the creation of a property loss and the loss arose out of a pattern of domestic violence;

(4) “Sole”, a single act or a pattern of domestic violence which may include multiple acts;

(5) “Stalking”, when an adult purposely and repeatedly harasses or follows with the intent of harassing another adult. As used in this subdivision, “harasses” means to engage in a course of conduct directed at a specific adult that serves no legitimate purpose, that would cause a reasonable adult to suffer substantial emotional distress. As used in this subdivision, “course of conduct” means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct”.

2. No insurer shall do any of the following on the sole basis of the status of an insured or prospective insured as a victim of domestic violence:

(1) Deny, cancel or refuse to issue or renew an insurance policy;

(2) Require a greater premium, deductible or any other payment;

(3) Exclude or limit coverage for losses or deny a claim;

(4) Designate domestic violence as a preexisting condition for which coverage will be denied or reduced;

(5) Terminate group coverage solely because of claims relating to the fact that any individual in the group is or has been a victim of domestic violence; or

(6) Fix any lower rate or discriminate in the fees or commissions of an agent for writing or renewing a policy insuring an individual solely because an individual is or has been a victim of domestic violence.

3. The fact that an insured or prospective insured has been a victim of domestic violence shall not be considered a permitted underwriting or rating criterion.

4. Nothing in this section shall prohibit an insurer from taking an action described in subsection 2 of this section if the action is otherwise permissible by law and is taken in the same manner and to the same extent with respect to all insureds and prospective insureds without regard to whether the insured or prospective insured is a victim of domestic violence.

5. If an innocent coinsured files a police report and completes a sworn affidavit that indicates both the cause of the loss and a pledge to cooperate in any criminal prosecution of the person committing the act causing the loss, then no insurer shall deny payment to an innocent coinsured on a property loss claim due to any policy provision that excludes coverage for intentional acts. Payment to the innocent coinsured may be limited to such innocent coinsured’s ownership interest in the property as reduced by any payment to a mortgagor or other secured interest; however, insurers shall not be required to make any subsequent payment to any other insured for the part of any loss for which the innocent coinsured has received payment.

6. A violation of this section shall be subject to the provisions of sections 375.930 to 375.948, relating to unfair trade practices.

455.010. As used in sections 455.010 to 455.085, unless the context clearly indicates otherwise, the following terms shall mean:

(1) “Abuse” includes but is not limited to the occurrence of any of the following acts, attempts, or threats against a person who may be protected [under] **pursuant to** sections 455.010 to 455.085:

- (a) “Assault”, purposely or knowingly placing or attempting to place another in fear of physical harm;
- (b) “Battery”, purposely or knowingly causing physical harm to another with or without a deadly weapon;
- (c) “Coercion”, compelling another by force or threat of force to engage in conduct from which the latter has a right to abstain or to abstain from conduct in which the person has a right to engage;
- (d) “Harassment”, engaging in a purposeful or knowing course of conduct involving more than one incident that alarms or causes distress to another adult and serves no legitimate purpose. The course of conduct must be such as would cause a reasonable adult to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner. Such conduct might include, but is not limited to:
 - a. Following another about in a public place or places;
 - b. Peering in the window or lingering outside the residence of another; but does not include constitutionally protected activity;
 - (e) “Sexual assault”, causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, or duress;
 - (f) “Unlawful imprisonment”, holding, confining, detaining or abducting another person against that person's will;

(2) “Adult”, any person eighteen years of age or older or otherwise emancipated **pursuant to sections 454.1200 to 454.1209, RSMo;**

- (3) “Court”, the circuit or associate circuit judge or a family court commissioner;
- (4) “Ex parte order of protection”, an order of protection issued by the court before the respondent has received notice of the petition or an opportunity to be heard on it;
- (5) “Family” or “household member”, spouses, former spouses, adults related by blood or marriage, adults who are presently residing together or have resided together in the past, **an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the victim**, and adults who have a child in common regardless of whether they have been married or have resided together at any time;
- (6) “Full order of protection”, an order of protection issued after a hearing on the record where the respondent has received notice of the proceedings and has had an opportunity to be heard;
- (7) “Order of protection”, either an ex parte order of protection or a full order of protection;
- (8) “Petitioner”, a family or household member or an adult who has been the victim of stalking, who has filed a verified petition [under] **pursuant to** the provisions of section 455.020;
- (9) “Respondent”, the family or household member or adult alleged to have committed an act of stalking, against whom a verified petition has been filed;
- (10) “Stalking” is when an adult purposely and repeatedly harasses or follows with the intent of harassing another adult. As used in this subdivision, “harasses” means to engage in a course of conduct directed at a specific adult that serves no legitimate purpose, that would cause a reasonable adult to suffer substantial emotional distress. As used in this subdivision, “course of conduct” means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct”.

455.045. 1. Any ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from abuse or stalking and may include:

- (1) Restraining the respondent from abusing, threatening to abuse, molesting, stalking or disturbing the peace of the petitioner;
- (2) Restraining the respondent from entering the premises of the dwelling unit of petitioner when the dwelling unit is:
 - (a) Jointly owned, leased or rented or jointly occupied by both parties; or
 - (b) Owned, leased, rented or occupied by petitioner individually; or
 - (c) Jointly owned, leased or rented by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or
 - (d) Jointly occupied by the petitioner and a person other than the respondent; provided that the respondent has no property interest in the dwelling unit;
- (3) **Restraining the respondent from communicating with the petitioner in any manner or through any**

medium;

(4) A temporary order of custody of minor children where appropriate.

455.050. 1. Any full or ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from abuse or stalking and may include:

(1) Temporarily enjoining the respondent from abusing, threatening to abuse, molesting, stalking or disturbing the peace of the petitioner;

(2) Temporarily enjoining the respondent from entering the premises of the dwelling unit of the petitioner when the dwelling unit is:

(a) Jointly owned, leased or rented or jointly occupied by both parties; or

(b) Owned, leased or rented by petitioner individually; or

(c) Jointly owned, leased or rented by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or

(d) Jointly occupied by the petitioner and a person other than respondent; provided that the respondent has no property interest in the dwelling unit[.]; or

(3) Temporarily enjoining the respondent from communicating with the petitioner in any manner or through any medium;

2. Mutual orders of protection are prohibited unless both parties have properly filed written petitions and proper service has been made in accordance with sections 455.010 to 455.085.

3. When the court has, after a hearing for any full order of protection, issued an order of protection, it may, in addition:

(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;

(2) Establish a visitation schedule that is in the best interests of the child;

(3) Award child support in accordance with supreme court rule 88.01 and chapter 452, RSMo;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452, RSMo;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the petitioner if the respondent is found to have a duty to support the petitioner or other dependent household members;

(6) Order the respondent to pay the petitioner's rent at a residence other than the one previously shared by the parties if the respondent is found to have a duty to support the petitioner and the petitioner requests alternative housing;

(7) Order that the petitioner be given temporary possession of specified personal property, such as automobiles, checkbooks, keys, and other personal effects;

(8) Prohibit the respondent from transferring, encumbering, or otherwise disposing of specified property mutually owned or leased by the parties;

(9) Order the respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior or to participate in a substance abuse treatment program;

(10) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the petitioner by a shelter for victims of domestic violence;

(11) Order the respondent to pay court costs;

(12) Order the respondent to pay the cost of medical treatment and services that have been provided or that are being provided to the petitioner as a result of injuries sustained to the petitioner by an act of domestic violence committed by the respondent.

4. A verified petition seeking orders for maintenance, support, custody, visitation, payment of rent, payment of monetary compensation, possession of personal property, prohibiting the transfer, encumbrance, or disposal of property, or payment for services of a shelter for victims of domestic violence, shall contain allegations relating to those orders and shall pray for the orders desired.

5. In making an award of custody, the court shall consider all relevant factors including the presumption that the best interests of the child will be served by placing the child in the custody and care of the nonabusive parent, unless there is evidence that both parents have engaged in abusive behavior, in which case the court shall not consider this presumption but may appoint a guardian ad litem or a court-appointed special advocate to represent the children in accordance with chapter 452, RSMo, and shall consider all other factors in accordance with chapter 452, RSMo.

6. The court shall grant to the noncustodial parent rights to visitation with any minor child born to or adopted by the parties, unless the court finds, after hearing, that visitation would endanger the child's physical health, impair the child's emotional development or would otherwise conflict with the best interests of the child, or that no visitation can be arranged which would sufficiently protect the custodial parent from further abuse. The court may appoint a guardian ad litem or court-appointed special advocate to represent the minor child in accordance with chapter 452, RSMo, whenever the custodial parent alleges that visitation with the noncustodial parent will damage the minor child.

7. The court shall make an order requiring the noncustodial party to pay an amount reasonable and necessary for the support of any child to whom the party owes a duty of support when no prior order of support is outstanding and after all relevant factors have been considered, in accordance with Missouri supreme court rule 88.01 and chapter 452, RSMo.

8. The court may grant a maintenance order to a party for a period of time, not to exceed one hundred eighty days. Any maintenance ordered by the court shall be in accordance with chapter 452, RSMo.

455.085. 1. When a law enforcement officer has probable cause to believe a party has committed a violation of law amounting to abuse or assault, as defined in section 455.010, against a family or household member, the officer may arrest the offending party whether or not the violation occurred in the presence of the arresting officer. When the officer declines to make arrest pursuant to this subsection, the officer shall make a written report of the incident completely describing the offending party, giving the victim's name, time, address, reason why no arrest was made and any other pertinent information. Any law enforcement officer subsequently called to the same address within a twelve-hour period, who shall find probable cause to believe the same offender has again committed a violation as stated in this subsection against the same or any other family or household member, shall arrest the offending party for this subsequent offense. The primary report of nonarrest in the preceding twelve-hour period may be considered as evidence of the defendant's intent in the violation for which arrest occurred. The refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

2. When a law enforcement officer has probable cause to believe that a party, against whom a protective order has been entered and who has notice of such order entered, has committed an act of abuse in violation of such order, the officer shall arrest the offending party-respondent whether or not the violation occurred in the presence of the arresting officer. Refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

3. When an officer makes an arrest he is not required to arrest two parties involved in an assault when both parties claim to have been assaulted. The arresting officer shall attempt to identify and shall arrest the party he believes is the primary physical aggressor. The term "primary physical aggressor" is defined as the most significant, rather than the first, aggressor. The law enforcement officer shall consider any or all of the following in determining the primary physical aggressor:

- (1) The intent of the law to protect victims of domestic violence from continuing abuse;
- (2) The comparative extent of injuries inflicted or serious threats creating fear of physical injury;
- (3) The history of domestic violence between the persons involved.

No law enforcement officer investigating an incident of family violence shall threaten the arrest of all parties for the purpose of discouraging requests or law enforcement intervention by any party. Where complaints are received from two or more opposing parties, the officer shall evaluate each complaint separately to determine whether he should seek a warrant for an arrest.

4. In an arrest in which a law enforcement officer acted in good faith reliance on this section, the arresting and assisting law enforcement officers and their employing entities and superiors shall be immune from liability in any civil action alleging false arrest, false imprisonment or malicious prosecution.

5. When a person against whom an order of protection has been entered fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

6. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

7. A violation of the terms and conditions, with regard to abuse, stalking, child custody, **communication initiated by the respondent** or entrance upon the premises of the petitioner's dwelling unit, of an ex parte order of protection of which the respondent has notice, shall be a class A misdemeanor unless the respondent has previously pleaded guilty to or has been found guilty of violating an ex parte order of protection or a full order of protection within

five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior pleas of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

8. A violation of the terms and conditions, with regard to abuse, stalking, child custody, **communication initiated by the respondent** or entrance upon the premises of the petitioner's dwelling unit, of a full order of protection shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of the sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict. For the purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection if the law enforcement officer responding to a call of a reported incident of abuse or violation of an order of protection presented a copy of the order of protection to the respondent.

9. Good faith attempts to effect a reconciliation of a marriage shall not be deemed tampering with a witness or victim tampering under section 575.270, RSMo.

10. Nothing in this section shall be interpreted as creating a private cause of action for damages to enforce the provisions set forth herein.

455.205. 1. The governing body of any county, or of any city not within a county, by order or ordinance to be effective prior to January 1, [2000] **2001**, may impose a fee upon the issuance of a marriage license and may impose a surcharge upon any civil case filed in the circuit court [under the provisions of section 452.305, RSMo]. The surcharge shall not be charged when [no court costs are otherwise required, and shall not be charged when] costs are waived or are to be paid by the state, county or municipality.

2. The fee imposed upon the issuance of a marriage license shall be five dollars, shall be paid by the person applying for the license, and shall be collected by the recorder of deeds at the time the license is issued. The surcharge imposed upon the filing of a civil action shall be two dollars, shall be paid by the party who filed the petition, and shall be collected and disbursed by the clerk of the court in the manner provided by sections 488.010 to 488.020, RSMo. Such amounts shall be payable to the treasuries of the counties from which such surcharges were paid.

3. At the end of each month, the recorder of deeds shall file a verified report with the county commission of the fees collected pursuant to the provisions of subsection 2 of this section. The report may be consolidated with the monthly report of other fees collected by such officers. Upon the filing of the reports the recorder of deeds shall forthwith pay over to the county treasurer all fees collected pursuant to subsection 2 of this section. The county treasurer shall deposit all such fees upon receipt in a special fund to be expended only to provide financial assistance to shelters for victims of domestic violence as provided in sections 455.200 to 455.230.

455.220. 1. To qualify for funds allocated and distributed pursuant to section 455.215 a shelter shall meet all of the following requirements:

- (1) Be incorporated in the state as a nonprofit corporation;
- (2) Have trustees who represent the racial, ethnic and socioeconomic diversity of the community to be served, at least one of whom must possess personal experience in confronting or mitigating the problems of domestic violence;
- (3) Receive at least twenty-five percent of its funds from sources other than funds distributed pursuant to section 455.215. These other sources may be public or private and may include contributions of goods or services, including materials, commodities, transportation, office space or other types of facilities or personal services;
- (4) Provide residential service or facilities for children when accompanied by a parent, guardian, or custodian who is a victim of domestic violence and who is receiving temporary residential service at the shelter;
- (5) Require persons employed by or volunteering services to the shelter to maintain the confidentiality of any information that would identify individuals served by the shelter **and any information or records that are directly related to the advocacy services provided to such individuals;**
- (6) **Prior to providing any advocacy services, inform individuals served by the shelter of the nature and scope of the confidentiality requirement in subdivision (5) of this subsection.**

2. Any person employed by or volunteering services to a shelter for victims of domestic violence shall be

incompetent to testify concerning any confidential information described in subdivision (5) of subsection 1 of this section, unless the confidentiality requirement is waived in writing by the individual served by the shelter.

3. A shelter does not qualify for funds if it discriminates in its admissions or provision of services on the basis of race, religion, color, age, marital status, national origin, or ancestry.

455.230. 1. A shelter for victims of domestic violence that receives funds pursuant to sections 455.200 to 455.230 shall file an annual report with the designated authority of the county, or of the city not within a county, in which it is located, on or before the thirty-first day of March of the year following the year in which funds were received. The annual report shall include statistics on the number of persons served by the shelter, the relationship of the victim of domestic violence to the abuser, the number of referrals made for medical, psychological, financial, educational, vocational, child care services or legal services, and shall include the results of an independent audit. No information contained in the report shall identify any person served by the shelter or enable any person to determine the identity of any such person. **Any information contained in the report that is directly related to advocacy services provided by the shelter shall not be construed as a violation of section 455.220. Any shelter for victims of domestic violence as defined in this chapter may apply to the department of public safety for a grant to provide funds for the renovation, construction and improvement of such shelter on a 75/25 state/local match rate, subject to appropriation.**

2. The designated authority shall compile the reports filed pursuant to subsection 1 of this section annually.

3. In addition to any shelter funded under said section, subject to appropriation, the department of social services shall fund a child assessment center to serve the needs of children from families in conflict and from domestic violence to be located in any county of the first classification without a charter form of government with a population of more than one hundred sixty thousand but less than two hundred thousand.

455.540. As used in sections 455.540 to 455.547, the following terms shall mean:

(1) "Adult", any person eighteen years of age or older;

(2) "Domestic violence", as provided in section 455.200[;

(3) "Homicide", any crime which may be charged as one of the following: first degree murder pursuant to section 565.020, RSMo; second degree murder pursuant to section 565.021, RSMo; voluntary manslaughter pursuant to section 565.023, RSMo; or involuntary manslaughter pursuant to section 565.024, RSMo].

455.543. 1. [In any case involving a homicide where the victim is an adult, the local law enforcement agency with jurisdiction shall make a determination as to whether there is reason to believe the homicide is related to domestic violence.] **In any incident investigated by a law enforcement agency involving a homicide or suicide, the law enforcement agency shall make a determination as to whether the homicide or suicide is related to domestic violence, as defined in section 455.200.**

2. In making such determination, the local law enforcement agency may consider a number of factors including, but not limited to, the following:

(1) **If the relationship between the perpetrator and the victim is or was that of a family or household member, as defined in section 455.010;**

(2) Whether the victim **or perpetrator** had previously filed for an order of protection [pursuant to this chapter];

(3) Whether [such agency has previously investigated or received reports of alleged incidents of domestic violence against the victim] **any of the subjects involved in the incident had previously been investigated for incidents of domestic violence;** and

(4) Any other evidence regarding the homicide **or suicide** that assists the agency in making its determination.

3. After making a determination as to whether the homicide **or suicide** is related to domestic violence, the [chief local] law enforcement [officer or his designee shall complete an appropriate form stating whether the homicide was related to domestic violence and which] **agency shall forward the information required within fifteen days to the Missouri state highway patrol on a form or format approved by the patrol. The required information shall include the [name,] gender and age of the victim, the type of incident investigated, the disposition of the incident and the relationship of the victim to the perpetrator.** The state highway patrol shall develop a form for this purpose which shall be distributed by the department of public safety to all [local] law enforcement agencies by October 1, [1998] **2000.** Completed forms shall be forwarded to the highway patrol [no later than seven days after a suspect is arrested for the homicide] **without undue delay as required by section 43.500, RSMo; except that all such reports shall be forwarded no later than seven days after an incident is determined or identified as a homicide or suicide involving domestic violence.**

455.545. The highway patrol shall compile an annual report of homicides **and suicides** related to domestic

violence. Such report shall be presented by February first of the subsequent year to the governor, speaker of the house of representatives, and president pro tempore of the senate.

455.550. All full orders of protection issued pursuant to this chapter shall include the Social Security number of the respondent, if known.

565.063. 1. As used in this section, the following terms mean:

(1) “Domestic assault offense”[,];

(a) The commission of the crime of domestic assault in the first degree pursuant to section 565.072 or domestic assault in the second degree pursuant to section 565.073; or

(b) The commission of the crime of assault in the first degree[,] pursuant to the provisions of section 565.050[,], or assault in the second degree pursuant to the provisions of section 565.060, if the victim of the assault was a family or household member;

(2) “Family” or “household member”, spouses, former spouses, adults related by blood or marriage, adults who are presently residing together or have resided together in the past, **an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the victim**, and adults who have a child in common regardless of whether they have been married or have resided together at any time;

(3) “Persistent domestic violence offender”, a person who has pleaded guilty to or has been found guilty of two or more domestic assault offenses, where such two or more offenses occurred within ten years of the occurrence of the domestic assault offense for which the person is charged; and

(4) “Prior domestic violence offender”, a person who has pleaded guilty to or has been found guilty of one domestic assault offense, where such prior offense occurred within five years of the occurrence of the domestic assault offense for which the person is charged.

2. No court shall suspend the imposition of sentence as to a prior or persistent domestic violence offender pursuant to this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011, RSMo, to the contrary notwithstanding, nor shall such person be eligible for parole or probation until such person has served a minimum of six months imprisonment.

3. The court shall find the defendant to be a prior domestic violence offender or persistent domestic violence offender, if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior domestic violence offender or persistent domestic violence offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior domestic violence offender or persistent domestic violence offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior domestic violence offender or persistent domestic violence offender.

4. In a jury trial, such facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

5. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

6. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

7. The defendant may waive proof of the facts alleged.

8. Nothing in this section shall prevent the use of presentence investigations or commitments.

9. At the sentencing hearing both the state and the defendant shall be permitted to present additional information bearing on the issue of sentence.

10. The pleas or findings of guilty shall be prior to the date of commission of the present offense.

11. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilty, to assess and declare the punishment as part of its verdict in cases of prior domestic violence offenders or persistent domestic violence offenders.

12. Evidence of prior convictions shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and shall include but not be limited to evidence of convictions received by a search of the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol. After hearing the evidence, the court shall enter its findings thereon.

13. Evidence of similar criminal convictions of domestic violence pursuant to this chapter, chapter 566, RSMo,

or chapter 568, RSMo, within five years of the offense at issue, shall be admissible for the purposes of showing a past history of domestic violence.

14. Any person who has pleaded guilty to or been found guilty of a violation of section 565.072 shall be sentenced to the authorized term of imprisonment for a class A felony if the court finds the offender is a prior domestic violence offender. The offender shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole if the court finds the offender is a persistent domestic violence offender or the prior domestic violence offender inflicts serious physical injury on the victim.

15. Any person who has pleaded guilty to or been found guilty of a violation of section 565.073 shall be sentenced:

(a) To the authorized term of imprisonment for a class B felony if the court finds the offender is a prior domestic violence offender; or

(b) To the authorized term of imprisonment for a class A felony if the court finds the offender is a persistent domestic violence offender.

[The provisions of section 375.1312, RSMo, shall become effective on January 1, 1999.]

565.072. 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member, as defined in section 455.010, RSMo.

2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim in which case it is a class A felony.

565.073. 1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member, as defined in section 455.010, RSMo, and he or she:

(1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or

(2) Recklessly causes serious physical injury to such family or household member; or

(3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.

2. Domestic assault in the second degree is a class C felony.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member, as defined in section 455.010, RSMo, and:

(1) The person attempts to cause or recklessly causes physical injury to such family or household member; or

(2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or

(3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or

(5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, RSMo, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members.”; and

Further amend page 1, in the title, lines 3-4, by deleting “relating to care for the elderly and disabled” and insert in lieu thereof, the following: “relating to the protection of certain persons”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1
to
Senate Amendment No. 4*

AMEND Senate Amendment No. 4 to Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1386 & 1086, Page 21, Section 197.460, Line 7, by inserting after “regulations” the following:

“;

(9) Any person or entity licensed pursuant to chapter 338, RSMo. The board of pharmacy shall investigate complaints made against any person or entity licensed pursuant to chapter 338, RSMo, or any employee of such entity. After investigation the board of pharmacy shall refer the results of their investigation to the appropriate professional licensing board for appropriate action. If the complaint is against an unlicensed employee, the board of pharmacy shall handle the entire investigation and take appropriate action. The board of pharmacy shall promulgate rules for any activity or services provided by these persons or entities.”.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1386 & 1086, Page 1, Section A, Line 4, by inserting after all of said line the following:

“197.400. As used in sections 197.400 to [197.475] **197.477**, unless the context otherwise requires, the following terms mean:

(1) **“Branch office”, a location or site from which an organization provides services within a portion of the total geographic area served by the parent company. A branch office is part of a company and is located sufficiently close to it to share administration, supervision and services in a manner that renders it unnecessary for the branch to independently meet the requirements of a home care company;**

(2) **“Client residence”, a temporary or permanent domicile of a person receiving home health services, professional services or paraprofessional services;**

(3) **“Council”, the home [health services] care advisory council created by sections 197.400 to [197.475] 197.477;**

[(2)] (4) **“Deficiency”, a statement of a deficit practice;**

(5) **“Department”, the department of health;**

(6) **“Home care company”, any public or private organization or part of an organization that is staffed or equipped to provide home health services, professional services or paraprofessional services;**

[(3)] (7) **“Home health [agency] category”, a category of home care company which is a public [agency] or private organization or [a subdivision or subunit of an agency or organization that provides two or more home health services at the residence of a patient according to a physician's written and signed plan of treatment] part of an organization that provides home health services and is eligible to be certified as a Medicare provider of home health services, as defined in Title XVIII of the Social Security Act;**

[(4)] (8) **“Home health services”, any [of the following items and services provided at the residence of the patient on a part-time or intermittent basis: nursing, physical therapy, speech therapy, occupational therapy, home health aid, or medical social service] services provided at the residence of a client which, at a minimum, meet the standards established pursuant to 42 C.F.R. 484, Medicare Conditions of Participation: Home Health Agencies;**

[(5)] **“Part-time or intermittent basis”, the providing of home health services in an interrupted interval sequence on the average of not to exceed three hours in any twenty-four-hour period;**

(6) **“Patient's residence”, the actual place of residence of the person receiving home health services, including**

institutional residences as well as individual dwelling units;

(7)] (9) **“Local public health agency”**, an organization that promotes preventative health services for all of its citizens and is established by a city or county by appropriating funds from their general revenue taxing authority or pursuant to chapter 70, RSMo, or chapter 205, RSMo;

(10) **“Paraprofessional home care category”**, a category of home care company which is any public or private organization or part of an organization that provides paraprofessional services;

(11) **“Paraprofessional services”**, personal care-related services provided at the residence of a client by an unlicensed caregiver that are unskilled in nature, may require a physician order, plan of care or service plan, and may include certain limited nursing services as described in state regulation;

(12) **“Physician”**, a person licensed by the state board of registration for the healing arts pursuant to the provisions of chapter 334, RSMo, to practice in this state as a physician and surgeon;

[(8)] (13) **“Plan of [treatment] care”**, a [plan reviewed and signed as often as medically necessary by a physician or podiatrist, not to exceed sixty days in duration, prescribing items and services for an individual patient's condition] **written plan for home health services and professional services based on a client's diagnosis and an assessment of his or her immediate and long-range needs and resources. A plan of care is established in consultation with a home care team that may include a physician, podiatrist, staff members of the company, a client and members of the client's family;**

[(9)] (14) **“Podiatrist”**, a person licensed by the state board of podiatry pursuant to the provisions of chapter 330, RSMo, to practice in this state as a podiatrist;

[(10) **“Subunit” or “subdivision”**, any organizational unit of a larger organization which can be clearly defined as a separate entity within the larger structure, which can meet all of the requirements of sections 197.400 to 197.475 independent of the larger organization, which can be held accountable for the care of patients it is serving, and which provides to all patients care and services meeting the standards and requirements of sections 197.400 to 197.475]

(15) **“Professional home care category”**, a category of home care company which is any public or private organization or part of an organization that provides professional services;

(16) **“Professional services”**, services, other than home health services, provided at the residence of a client by a health care professional who is considered by the state as being qualified to provide such services. Such services are provided on a per visit, hourly or shift basis and may require a plan of care, service plan or an order signed by a physician, podiatrist or other practitioner as allowed by state law;

(17) **“Sanction”**, actions to be determined by the department and assessed against individuals who have been proven to have violated the provisions of sections 197.400 to 197.477 and which may include, but are not limited to, suspension or revocation of licensure;

(18) **“Service plan”**, a written plan for paraprofessional services developed and agreed upon by a client and provider that includes a description of services to be provided and a schedule or frequency of such services;

(19) **“Supervision”**, authoritative guidance given by a qualified person, including initial direction and periodic direction or indirect monitoring of services;

(20) **“Survey inspection”**, monitoring by the department for compliance with state regulations related to sections 197.400 to 197.477, including investigation of complaints.

197.405. 1. [No home health agency, including Medicare and Medicaid providers, shall provide two or more of the home health services covered by subdivision (4) of section 197.400 or shall hold itself out as providing such home health services or as a home health agency] **No public or private organization or part of an organization shall hold itself out as a home care company or as providing home health services, professional services or paraprofessional services unless it is licensed and registered in accordance with the provisions of sections 197.400 to [197.475] 197.477.**

2. **No person shall establish, conduct or maintain a home care company in this state without maintaining a business location within the state and a valid license issued by the department. A branch office of a licensed home care company shall not require separate licensing.**

3. **The paraprofessional category of a home care company that provides services licensed, certified, regulated or contracted with the division of aging in the department of social services may elect to be regulated by the division of aging and shall be exempt from licensure by the department of health. Any home care company that elects to be exempt from the home care paraprofessional category pursuant to this subsection shall be monitored, regulated and overseen by the division of aging to assure that, regardless of payer source, all individuals receiving paraprofessional services by such company, including individuals who are not clients of the division of aging, are included as a responsibility of the division of aging.**

4. **No person shall interfere with or prevent any authorized representative of the department or the**

attorney general from enforcing the provisions of sections 197.400 to 197.477.

197.410. [1. Persons desiring to receive a license to operate a home health agency in the state of Missouri shall file a written application with the department of health on a form prescribed by the director of the department.

2. The application shall be accompanied by a six hundred-dollar license fee] **A license shall be renewed annually upon approval by the department if the following conditions are met:**

(1) **An application for renewal is completed on forms provided by the department, filed with the department and accompanied by the required nonrefundable license fee;**

(2) **The company is in compliance with the requirements in sections 197.400 to 197.477, as evidenced by a survey inspection by the department which shall occur prior to initial licensure, once a year for the first three years and at least once every thirty-six months thereafter. Except for the inspection prior to initial licensure, such inspections shall be conducted:**

(a) **Without the prior notification of the company; and**

(b) **At times of the day, on dates and at intervals which do not permit companies to anticipate such inspections;**

(3) **Each initial application for a home care company shall be filed on forms provided by the department and accompanied by the required nonrefundable license fee. Such application must be approved by the department prior to initiating client care.**

The department of health shall coordinate initial and annual inspections of all home care categories and other inspections when possible.

197.415. 1. [The department shall review the applications and shall issue a license to applicants who have complied with the requirements of sections 197.400 to 197.475 and have received approval of the department.

2. A license shall be renewed annually upon approval of the department when the following conditions have been met:

(1) The application for renewal is accompanied by a six-hundred-dollar license fee;

(2) The home health agency is in compliance with the requirements established pursuant to the provisions of sections 197.400 to 197.475 as evidenced by a survey inspection by the department which shall occur at least every thirty-six months for agencies that have been in operation thirty-six consecutive months from initial inspection. The frequency of inspections for agencies in operation at least thirty-six consecutive months from the initial inspection shall be determined by such factors as number of complaints received and changes in management, supervision or ownership. The frequency of each survey inspection for any agency in operation less than thirty-six consecutive months from the initial inspection shall occur and be conducted at least every twelve months;

(3) The application is accompanied by a statement of any changes in the information previously filed with the department pursuant to section 197.410.

3. Each license shall be issued only for the home health agency listed in the application. Licenses shall be posted in a conspicuous place in the main offices of the licensed home health agency.

4.] **If the application review is not completed prior to the expiration of a license and the company is not at fault for the failure to complete the application review process, the department may issue a temporary operating permit of sufficient duration to allow for state review of the home care company's relicensure application.**

2. **Each license shall be issued only for the home care company listed on the application. Such license shall be:**

(1) **Posted in a conspicuous place in the office of the licensed home care company; or**

(2) **Made available for review upon request.**

3. **Any license issued shall state the licensure category or categories for which the license is issued, the name of the home care company to whom it is issued, the expiration date, and any additional information or special limitations that the department may require by rule.**

4. **If a home care company is relocating, the company shall notify the department in writing thirty days prior to the intended relocation. The department may provide written notification to the home care company amending the current license to reflect the new location.**

5. **In lieu of any survey required by sections 197.400 to [197.475] 197.477, the department may accept in whole or in part written reports of the survey of any state or federal agency, or of any professional accrediting agency, such as the joint commission on accreditation of health care organizations and the community health accreditation program, if such survey:**

- (1) Is comparable in scope and method to the department's surveys; and
- (2) [Is conducted within one year of initial application or within thirty-six months for the renewal of the home health license as required by subdivision (2) of subsection 2 of this section] **Meets all required time frames; and**
- (3) **Is provided to the department with sufficient documentation to assure that the home care company is in compliance with the requirements in sections 197.400 to 197.477.**

6. Services provided pursuant to chapter 338, RSMo, shall be excluded from survey inspection.

197.420. 1. A license shall not be transferable or assignable. When a home [health agency] **care company** is sold or ownership or management is transferred, or the corporate legal organization status is [substantially] changed, the license of the [agency] **company** shall be voided and a new license obtained. Application for a new license shall be made to the department in writing[, at least ninety days] prior to the effective date of the sale, transfer, or change in corporate status. The application for a new license shall be on the same form, containing the same information required for an original license, and shall be accompanied by [a license fee of six hundred dollars. The department may issue a temporary operating permit for the continuation of the operation of the home health agency for a period of not more than ninety days pending the survey inspection and the final disposition of the application. The department shall require all licensed home health agencies to submit statistical reports. The content, format, and frequency of such reports shall be determined by the department with council approval] **the required nonrefundable license fee.**

2. The department may issue a temporary operating permit of sufficient duration to allow the department to evaluate an application for a license submitted as a result of a change in ownership.

197.422. The department shall require all licensed home care companies to submit statistical reports. The content, format and frequency of such reports shall be established by the department in conjunction with the home care advisory council and shall not include financial information.

197.425. In addition to the survey inspection required for licensing or license renewal, the department may [make other survey inspections] **conduct survey inspections** during normal business hours. Each home [health agency] **care company** shall allow the department or its authorized representatives to enter upon its premises during normal business hours for the purpose of conducting the survey [inspection] **inspections.**

197.430. After completion of each department [survey] **inspection**, a written [report] **statement** of the findings with respect to compliance or noncompliance with the provisions of sections 197.400 to [197.475] **197.477** and the standards established hereunder as well as a list of deficiencies found shall be prepared. A copy of the [report] **statement** and the list of deficiencies found shall be served upon the home [health agency] **care company** within fifteen business days following the [survey] inspection. The list of deficiencies shall specifically state the statute or rule which the home [health agency] **care company** is alleged to have violated. If the home [health agency] **care company** acknowledges the deficiencies found by the [survey] inspection, the home [health agency] shall inform the department of the time necessary for compliance and] **care company** shall file a plan of correction with the department **within thirty days of the inspection completion date.** If the [home health agency] **company** does not acknowledge the deficiencies, it [may request a resurvey] **shall request a reinspection** by the department. If, after the [resurvey] **reinspection**, the home [health agency] **care company** still does not agree with the findings of the department, it may seek a review of the findings of the department by the administrative hearing commission **in accordance with chapter 621, RSMo. In case of immediate client jeopardy, immediate sanctions may be imposed.**

197.435. 1. Any person wishing to make a complaint against a home [health agency licensed under] **care company licensed pursuant to** the provisions of sections 197.400 to [197.475] **197.477** may file the complaint **orally or** in writing with the department setting forth the details and facts supporting the complaint. [If the department determines the charges are sufficient to warrant a hearing to determine whether the license of the home health agency should be suspended or revoked, the department shall fix a time and place for a hearing and require the home health agency to appear and defend against the complaint. A copy of the complaint shall be given to the home health agency at the time it is notified of the hearing. The notice of the hearing shall be given at least twenty days prior to the date of the hearing. The hearing shall be conducted by the administrative hearing commission in accordance with the provisions of chapter 621, RSMo.] **The department shall investigate all complaints and prepare a written statement of the investigative findings with respect to compliance or noncompliance with sections 197.400 to 197.477 and the standards established hereunder, as well as a list of deficiencies found which shall be served upon the home care company within fifteen business days following such investigation. The list of deficiencies shall specifically state the statute or rule which the home care company is alleged to have violated. If the company acknowledges the deficiencies found by the inspection, the company shall file a plan of correction with the department within thirty days of the inspection completion date. If the company does not agree with the findings of the investigation the company may seek a review of such findings by the administrative hearing commission in accordance with**

chapter 621, RSMo. In cases of immediate client jeopardy, immediate sanctions may be imposed.

2. Each employee of a home care company shall be responsible for reporting any evidence of abuse, neglect or exploitation of any client served by the home care company in accordance with state law.

197.440. 1. The department shall refuse to issue or shall suspend or shall revoke the license of any home [health agency] **care company** for failure to comply with any provision of sections 197.400 to [197.475] **197.477** or with any rule or standard of the department adopted [under] **pursuant to** the provisions of sections 197.400 to [197.475] **197.477** or for obtaining the license by means of fraud, misrepresentation[,] or concealment of material facts.

2. Any home [health agency] **care company** which has **had sanctions imposed**, been refused a license or which has had its license revoked or suspended by the department may seek a review of the department's action by the administrative hearing commission **in accordance with chapter 621, RSMo. A sanction shall be designed to minimize the time between identification of a problem and imposition of such sanction and shall provide for the imposition of incrementally more severe sanctions for repeated or uncorrected problems.**

3. A home care company shall not reapply for licensure for a six-month period following a final action by the department pursuant to this section.

4. A license shall not be issued or renewed if the operator, owner or any principle in the operation of the home care company has been convicted of any offense concerning the operation of a home care company or any offense that is reasonably related to the qualifications, functions or duties of a home care company. Notwithstanding any other provision of law to the contrary, the department shall have access to records involving an operator, owner or any principle in the operation of a home care company applying for or renewing a license pursuant to this chapter, where the applicant has been adjudicated and found guilty or entered a plea of guilty or nolo contendere in a prosecution pursuant to the laws of any state or of the United States for any offense reasonably related to the qualifications, functions or duties of any person who operates or owns a home care company licensed pursuant to sections 197.400 to 197.477. The department may deny, suspend or revoke the license of any home care company whose operators, owners or any principles in the operation of the company have been convicted of such an offense.

5. The department shall promulgate rules to waive the restrictions pursuant to subsection 4 of this section for good cause. For purposes of this section, "good cause" means a determination by the department after examining the prior work history and other relevant factors that such operators, owners or principles do not present a risk to the health or safety of clients.

197.445. 1. **The department shall administer the provisions of sections 197.400 to 197.477.** The department may adopt reasonable rules and standards necessary to carry out the provisions of sections 197.400 to 197.477. [The rules and standards adopted shall not be less than the standards established by the federal government for home health agencies under Title XVIII of the Federal Social Security Act. The reasonable rules and standards shall be initially promulgated within one year of September 28, 1983.] **In promulgating regulations for the licensure of home care companies, the department shall establish licensure procedures for a home care category, professional home care category and paraprofessional home care category, with separate and distinct regulations for each of the three licensure categories. All rules shall be initially promulgated within one year of the effective date of this section. The regulations for the professional home care category shall not exceed the Medicaid private duty nursing regulations and the regulations for the paraprofessional category shall not exceed the Medicaid personal care regulations.**

2. The rules and standards adopted by the department pursuant to the provisions of sections 197.400 to 197.477 shall apply to all health services covered by sections 197.400 to 197.477 rendered to any patient being served by a home [health agency] **care company** regardless of source of payment for the service, patient's condition, or place of residence[, at which the home health services are ordered by the physician or podiatrist]. No rule or portion of a rule promulgated pursuant to the authority of sections 197.400 to 197.477 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

3. All agencies of the state or any of its political subdivisions shall assist and cooperate with the department as necessary to carry out the department's responsibility pursuant to sections 197.400 to 197.477.

197.450. 1. There is hereby created the "Home [Health Services] **Care** Advisory Council", which shall guide, advise and make recommendations to the department relating to the rules and standards adopted and the implementation and administration of sections 197.400 to [197.475] **197.477.**

2. Members of the council shall be residents of this state. The council shall consist of members who shall serve for a term of three years. No member may serve more than two successive full terms. [One member] **Two members** of the council shall be [a representative] **representatives** of the department, and **one** such member shall serve as chairman

of the council. [Three members] **One member** shall be [citizens] **a citizen** selected from the state at large and shall have no connection with any home [health agency. Five] **care company**. **Six** members shall be representatives of [home health agencies and one of these five members shall be selected from each of the following types of home health agencies:

- (1) Public sponsored home health agencies;
- (2) Institutional sponsored home health agencies;
- (3) Voluntary nonprofit home health agencies;
- (4) Private nonprofit home health agencies; and
- (5) For profit home health agencies] **each of the three home care licensure categories. Each category shall have at least one representative on the council.**

3. All members of the council shall be appointed by the director of the department. The term of office of each member shall be for three years or until his **or her** successor is appointed; except that, of the members first appointed, three shall be selected for one year, three shall be selected for two years, and three shall be selected for three years. Before a member's term expires, the director of the department shall appoint a successor to assume his **or her** duties on the expiration of his **or her** predecessor's term. A vacancy in the office of a member shall be filled by appointment for the unexpired term.

4. The council shall meet not less than [quarterly] **twice** each year, **in person or by telecommunication**, at a place, day and hour determined by the [council] **department**. The council may also meet at such other times and places as may be designated by the chairman, or upon the request of the majority of the other members of the council.

5. Members of the council shall receive no compensation for their services, but shall be reimbursed, out of funds appropriated to the department for that purpose, for their actual and necessary expenses incurred in the performance of their duties.

197.455. The department may file an action in the circuit court for the county in which [any home health agency alleged to be violating the provisions of sections 197.400 to 197.475 resides or may be found] **the home care company is located** for an injunction to restrain the home [health agency] **care company** from continuing the violation **or sections 197.400 to 197.477**.

197.460. 1. The provisions of sections 197.400 to [197.475] **197.477** shall not apply to [individuals who personally provide one or more home health services if such persons are not under the direct control and doing work for and employed by a home health agency.

2. The provisions of sections 197.400 to 197.475 shall not apply to any person or organization conducting a home health agency by and for the adherents of any recognized church or religious denomination or sect for the purpose of providing services for the care or treatment of the sick or infirm who depend upon prayer or spiritual means for healing in the practice of the religion of such church or religious denomination or sect.

3. The provisions of sections 197.400 to 197.475 shall not apply to any person or other entity which provides services pursuant to subdivision (18) of subsection 1 of section 208.152, RSMo, or provides in-home services pursuant to subdivision (21) of subsection 2 of section 660.050, RSMo] **the following:**

(1) **Any person who is a single self-employed caregiver who provides one or more of the services defined in sections 197.400 to 197.477, when such services are not provided as an employee, or under agreement or contract with a home care company;**

(2) **Any person or other entity operating a home care company by and for the adherents of any recognized church or religious denomination or sect for the purpose of providing services for the care or treatment of the sick or infirm who depend upon prayer or spiritual means for healing in the practice of the religion of such church or religious denomination or sect;**

(3) **Any person or entity that provides services pursuant to subdivision (18) of subsection 1 of section 208.152, RSMo, or provides in-home services pursuant to subdivision (21) of subsection 2 of section 660.050, RSMo, or provides in-home services pursuant to Title XIX of the Social Security Act, or any service or program authorized by the division of aging;**

(4) **Any person or entity licensed, certified, contracted, employed or operated by the state or its political subdivisions to provide specialized services, including care, treatment, habilitation and rehabilitation exclusively to persons affected by mental disorders, mental illness, mental retardation, developmental disabilities, or alcohol or drug abuse, as defined in section 630.005, RSMo;**

(5) **Any person or entity licensed, certified, contracted, employed or operated by the state to provide home health, paraprofessional or professional services to patients or clients of the division of vocational rehabilitation in the department of elementary and secondary education;**

- (6) The first steps program in the department of elementary and secondary education;
- (7) Exempt from licensing services provided by a local public health agency not funded by private pay or a third-party payer such as Medicare, Medicaid or health insurance;
- (8) The services of a provider or program that are regulated by a state regulatory program, other than those administered pursuant to this chapter, may be exempt from licensure pursuant to this chapter if the department determines the other program's regulatory standards are substantially the same or exceed the requirements of this chapter. To be exempted pursuant to this subdivision, a provider or program shall request that the department review the standards under which the provider or program is regulated. The department may require the provider or program to provide any information necessary to determine the comparability of the regulations.

2. Nothing in this section shall prohibit any person or entity from applying for a license pursuant to sections 197.400 to 197.477.

[197.470. All reports or documents collected by the department, or findings and decisions made by the department, under the provisions of sections 197.400 to 197.475, unless declared to be a confidential record under any other provision of law, shall be available to public inspection upon written request. The material requested shall be made available within thirty days after receipt of the request. The department may charge a reasonable fee for the copying of any material.]

197.474. The provisions of sections 197.400 to 197.477 shall be fully implemented by July 1, 2002.

197.477. Upon the completion of the final report of an inspection or evaluation of a health facility or agency or any part thereof pursuant to sections 190.235 to 190.249, RSMo, sections 197.010 to 197.120, sections 197.200 to 197.240, or sections 197.400 to 197.475, including any amendments thereto which may hereinafter be enacted by the general assembly or rule or regulation promulgated pursuant thereto, the department of health may disclose to the public reports of the inspections or evaluations showing the standards by which the inspections or evaluations were conducted, whether such standards were met, and, if such standards were not met, in what manner they were not met and how the facility proposed to correct or did correct the deficiencies. All other information whatsoever, including information and reports submitted to the department of health by governmental agencies and recognized accrediting organizations in whole or in part for licensure purposes pursuant to sections 190.235 to 190.249, RSMo, sections 197.010 to 197.120, sections 197.200 to 197.240, or sections 197.400 to 197.475, collected during such inspections or evaluations or information which is derived as a result of such inspections or evaluations shall be confidential and shall be disclosed only to the person or organization which is the subject of the inspection or evaluation or a representative thereof. **The material requested shall be made available within thirty days after receipt of the request. The department may charge a reasonable fee for the copying of any material.”; and**

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1591**, and has taken up and passed **SCS HB 1591, as amended, by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **CCR HS HCS SB 788, as amended**, and has taken up and passed **CCS HS HCS SB 788**.

THIRD READING OF SENATE BILL

HCS SS #2 SCS SBs 934, 546, 578, 579 & 782, relating to intoxication related offenses, was taken up by Representative Hosmer.

Representative Hosmer offered **HS HCS SS #2 SCS SBs 934, 546, 578, 579 & 782**.

Representative Schilling offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 12, Section 302.302, Line 24 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 13, Section 302.302, Line 4 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 29, Section 302.505, Line 24 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 30, Section 302.505, Line 11 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 31, Section 302.510, Line 6 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 31, Section 302.510, Line 8 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 31, Section 302.510, Line 16 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 32, Section 302.520, Line 14 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 32, Section 302.520, Line 18 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 38, Section 302.541, Line 11 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 38, Section 302.541, Line 15 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 38, Section 302.541, Lines 22 to 23 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 39, Section 302.545, Line 8 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 42, Section 577.012, Line 21 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 49, Section 577.037, Line 20 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 50, Section 577.037, Line 20 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 52, Section 577.041, Line 21 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said bill, Page 55, Section 577.041, Line 4 of said page, by deleting the words "**eighty-five**" and inserting in lieu thereof the words "**eighty-two**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 12, Section 302.302, Line 24 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 13, Section 302.302, Line 4 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Pages 29 and 30, Section 302.505, Lines 24 and 1 of said pages, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 30, Section 302.505, Line 11 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 31, Section 302.510, Line 6 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 31, Section 302.510, Line 8 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 31, Section 302.510, Lines 16 and 17 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 32, Section 302.520, Line 14 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 32, Section 302.520, Line 18 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 38, Section 302.541, Line 11 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 38, Section 302.541, Line 15 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 38, Section 302.541, Lines 22 to 23 of said page, by deleting the words "**eighty-**

five thousandths" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 39, Section 302.545, Line 8 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 42, Section 577.012, Lines 21 to 22 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 49, Section 577.037, Lines 20 to 21 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 50, Section 577.037, Line 20 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 52, Section 577.041, Line 21 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said bill, Page 55, Section 577.041, Line 4 of said page, by deleting the words "**eighty-five thousandths**" and inserting in lieu thereof the words "**eight-hundredths**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith resumed the Chair.

Speaker Gaw resumed the Chair.

On motion of Representative Hosmer, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 101

Akin	Alter	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Brooks	Champion
Chrismer	Cierpiot	Crawford	Curls	Davis 122
Days	Dolan	Dougherty	Elliott	Enz
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Gambaro	Gaskill	Graham 106	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hendrickson
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	King	Kissell
Koller	Kreider	Lakin	Legan	Levin
Linton	Long	Luetkemeyer	Luetkenhaus	Marble
May 108	McClelland	McLuckie	Merideth	Monaco
Myers	Nordwald	Parker	Patek	Phillips
Pouche 30	Pryor	Ransdall	Reid	Relford
Richardson	Riley	Rizzo	Robirds	Sallee
Scheve	Schilling	Scott	Seigfreid	Selby
Skaggs	Smith	Surface	Tudor	Van Zandt
Ward	Wiggins	Williams 159	Wilson 25	Wright
Mr. Speaker				

NOES: 052

Abel	Auer	Britt	Campbell	Clayton
Crump	Davis 63	Evans	Farnen	Froelker

George	Gibbons	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hegeman	Hickey	Hohulin
Kelly 27	Kennedy	Klindt	Lawson	Liese
Lograsso	Loudon	Mays 50	McKenna	Murphy
Murray	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Reinhart	Reynolds	Ridgeway	Ross
Schwab	Secrest	Shelton	Shields	Summers
Thompson	Townley	Treadway	Troupe	Vogel
Wagner	Wilson 42			

PRESENT: 001

Purgason

ABSENT WITH LEAVE: 007

Burton	Green	Harlan	McBride	Miller
Stokan	Williams 121			

VACANCIES: 002

Representative Parker offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 62, Line 6, by inserting immediately after said line the following:

“50.550. 1. The annual budget shall present a complete financial plan for the ensuing budget year. It shall set forth all proposed expenditures for the administration, operation and maintenance of all offices, departments, commissions, courts and institutions; the actual or estimated operating deficits or surpluses from prior years; all interest and debt redemption charges during the year and expenditures for capital projects.

2. The budget shall contain adequate provisions for the expenditures necessary for the care of insane pauper patients in state hospitals, for the cost of holding elections and for the costs of holding circuit court in the county that are chargeable against the county, for the repair and upkeep of bridges other than on state highways and not in any special road district, and for the salaries, office expenses and deputy and clerical hire of all county officers and agencies.

3. In addition, the budget shall set forth in detail the anticipated income and other means of financing the proposed expenditures.

4. All receipts of the county for operation and maintenance shall be credited to the general fund, and all expenditures for these purposes shall be charged to this fund; except, that receipts from the special tax levy for roads and bridges shall be kept in a special fund and expenditures for roads and bridges may be charged to the special fund.

5. All receipts from the sale of bonds for any purpose shall be credited to the bond fund created for the purpose, and all expenditures for this purpose shall be charged to the fund. All receipts for the retirement of any bond issue shall be credited to a retirement fund for the issue, and all payments to retire the issue shall be charged to the fund. All receipts for interest on outstanding bonds and all premiums and accrued interest on bonds sold shall be credited to the interest fund, and all payments of interest on the bonds shall be charged to the interest fund.

6. Subject to the provisions of Section 50.555 the county commission may create a fund to be known as “The County Crime Reduction Fund”.

7. [6.] The county commission may create other funds as are necessary from time to time.

50.555. 1. A county commission may establish by resolution a fund whose proceeds may be expended only for the purposes provided for in subsection 3 of this section. The fund shall be designated as a county crime reduction fund and shall be under the supervision of a board of trustees consisting of one citizen of the county appointed by the presiding commissioner of the county, one citizen of the county appointed by the sheriff of the county, and one citizen of the county appointed by the county prosecuting attorney.

2. Money from the county crime reduction fund shall only be expended upon the approval of a majority of the members of the county crime reduction fund’s board of trustees and only for the purposes provided for by subsection 3 of this section.

- 3. Money from the county crime reduction fund shall only be expended for the following purposes:**
- (1) narcotics investigation, prevention and intervention;**
 - (2) payment of rewards through the sheriff's employees;**
 - (3) purchase of law enforcement related equipment and supplies for the sheriff's office;**
 - (4) matching funds for federal or state law enforcement grants;**
 - (5) funding for the reporting of all state and federal crime statistics or information; and**
 - (6) any law enforcement related expense, including those of the prosecuting attorney, approved by the board of trustees for the county crime fund that is reasonably related to investigation, preparation, trial and disposition of criminal cases before the courts of the State of Missouri.**
- 4. The county commission may not reduce any law enforcement agency's budget as a result of funds the law enforcement agency receives from the county crime reduction fund. The crime reduction fund is to be used only as a supplement to the law enforcement agency's funding received from other county, state or federal funds.**
- 5. County crime reduction funds shall be audited as are all other county funds.”; and**

Further amend said bill, Page 38, Section 550.120, Line 21, by inserting immediately after said line the following:

“558.019. 1. This section shall not be construed to affect the powers of the governor under article IV, section 7, of the Missouri Constitution. This statute shall not affect those provisions of section 565.020, RSMo, section 558.018 or section 571.015, RSMo, which set minimum terms of sentences, or the provisions of subsections 2 through 5 of section 559.115, RSMo, relating to probation.

2. The provisions of this section shall be applicable to all classes of felonies except those set forth in chapter 195, RSMo, and those otherwise excluded in subsection 1 of this section. For the purposes of this section, "prison commitment" means and is the receipt by the department of corrections of a defendant after sentencing. For purposes of this section, prior prison commitments to the department of corrections shall not include commitment to a regimented discipline program established pursuant to section 217.378, RSMo. Other provisions of the law to the contrary notwithstanding, any defendant who has pleaded guilty to or has been found guilty of a felony other than a dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve the following minimum prison terms:

(1) If the defendant has one previous prison commitment to the department of corrections for a felony offense, the minimum prison term which the defendant must serve shall be forty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(2) If the defendant has two previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the defendant must serve shall be fifty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(3) If the defendant has three or more previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the defendant must serve shall be eighty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

3. Other provisions of the law to the contrary notwithstanding, any defendant who has pleaded guilty to or has been found guilty of a dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve a minimum prison term of eighty-five percent of the sentence imposed by the court or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first. For purposes of this section, the phrase “sentence imposed by the court” means the total aggregate sentence actually imposed by the sentencing court.

4. For the purpose of determining the minimum prison term to be served, the following calculations shall apply:

(1) A sentence of life shall be calculated to be thirty years;

(2) Any sentence either alone or in the aggregate with other consecutive sentences for crimes committed at or near the same time which is over seventy-five years shall be calculated to be seventy-five years.

5. For purposes of this section, the term "minimum prison term" shall mean time required to be served by the defendant before he is eligible for parole, conditional release or other early release by the department of corrections. Except that the board of probation and parole, in the case of consecutive sentences imposed at the same time pursuant to a course of conduct constituting a common scheme or plan, shall be authorized to convert consecutive sentences to concurrent sentences, when the board finds, after hearing with notice to the prosecuting or circuit attorney, that the sum

of the terms results in an unreasonably excessive total term, taking into consideration all factors related to the crime or crimes committed and the sentences received by others similarly situated.

6. (1) A sentencing advisory commission is hereby created to consist of eleven members. One member shall be appointed by the speaker of the house. One member shall be appointed by the president pro tem of the senate. One member shall be the director of the department of corrections. Six members shall be appointed by and serve at the pleasure of the governor from among the following: the public defender commission; private citizens; a private member of the Missouri Bar; the board of probation and parole; and a prosecutor. Two members shall be appointed by the supreme court, one from a metropolitan area and one from a rural area. All members of the sentencing commission appointed prior to August 28, 1994, shall continue to serve on the sentencing advisory commission at the pleasure of the governor.

(2) The commission shall study sentencing practices in the circuit courts throughout the state for the purpose of determining whether and to what extent disparities exist among the various circuit courts with respect to the length of sentences imposed and the use of probation for defendants convicted of the same or similar crimes and with similar criminal histories. The commission shall also study and examine whether and to what extent sentencing disparity among economic and social classes exists in relation to the sentence of death and if so, the reasons therefor. It shall compile statistics, examine cases, draw conclusions, and perform other duties relevant to the research and investigation of disparities in death penalty sentencing among economic and social classes.

(3) The commission shall establish a system of recommended sentences, within the statutory minimum and maximum sentences provided by law for each felony committed under the laws of this state. This system of recommended sentences shall be distributed to all sentencing courts within the state of Missouri. The recommended sentence for each crime shall take into account, but not be limited to, the following factors:

- (a) The nature and severity of each offense;
 - (b) The record of prior offenses by the offender;
 - (c) The data gathered by the commission showing the duration and nature of sentences imposed for each crime;
- and
- (d) The resources of the department of corrections and other authorities to carry out the punishments that are imposed.

(4) The commission shall publish and distribute its system of recommended sentences on or before July 1, 1995. The commission shall study the implementation and use of the system of recommended sentences until July 1, 1998, and return a final report to the governor, the speaker of the house of representatives, and the president pro tem of the senate. Following the July 1, 1998, report, the commission may revise the recommended sentences every three years.

(5) The governor shall select a chairperson who shall call meetings of the commission as required or permitted pursuant to the purpose of the sentencing commission.

(6) The members of the commission shall not receive compensation for their duties on the commission, but shall be reimbursed for actual and necessary expenses incurred in the performance of these duties and for which they are not reimbursed by reason of their other paid positions.

(7) The circuit and associate circuit courts of this state, the office of the state courts administrator, the department of public safety, and the department of corrections shall cooperate with the commission by providing information or access to information needed by the commission. The office of the state courts administrator will provide needed staffing resources.

7. If the imposition or execution of a sentence is suspended, the court may consider ordering restorative justice methods pursuant to section 217.777, RSMo, including any or all of the following, or any other method that the court finds just or appropriate:

- (1) Restitution to any victim for costs incurred as a result of the offender's actions;
- (2) Offender treatment programs;
- (3) Mandatory community services;
- (4) Work release programs in local facilities; and
- (5) Community based residential and nonresidential programs; and

8. If the imposition or execution of a sentence is suspended for a misdemeanor, in addition to the provisions of subsection 7 of this section, the court may order the assessment and payment of a designated amount of money to a county crime reduction fund established by the county commission pursuant to § 50.555, RSMo. Said contribution shall not exceed \$1,000 for any misdemeanor offense. Any money deposited into the county crime reduction fund pursuant to this section shall only be expended pursuant to the provisions of section 50.555 RSMo. An annual audit of the fund shall be conducted by the county auditor or the state auditor.

9. [8.] The provisions of this section shall apply only to offenses occurring on or after August 28, 1994.

559.021. 1. The conditions of probation shall be such as the court in its discretion deems reasonably necessary to ensure that the defendant will not again violate the law. When a defendant is placed on probation he shall be given a certificate explicitly stating the conditions on which he is being released.

2. In addition to such other authority as exists to order conditions of probation, the court may order such conditions as the court believes will serve to compensate the victim, any dependent of the victim, or society. Such conditions may include, but shall not be limited to:

- (1) Restitution to the victim or any dependent of the victim, in an amount to be determined by the judge; and
- (2) The performance of a designated amount of free work for a public or charitable purpose, or purposes, as determined by the judge.

3. In addition to such other authority as exists to order conditions of probation, in the case of a plea of guilty in a misdemeanor case or finding of guilt in a misdemeanor case, the court may order the assessment and payment of a designated amount of money to a county crime reduction fund established by the county commission pursuant to §50.555, RSMo. Said contribution shall not exceed \$1,000 for any misdemeanor offense. Any money deposited into the county crime reduction fund pursuant to this section shall only be expended pursuant to the provisions of section 50.555 RSMo.

[3.] 4. The defendant may refuse probation conditioned on the performance of free work. If he does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. Any county, city, person, organization, or agency, or employee of a county, city, organization or agency charged with the supervision of such free work or who benefits from its performance shall be immune from any suit by the defendant or any person deriving a cause of action from him if such cause of action arises from such supervision of performance, except for an intentional tort or gross negligence. The services performed by the defendant shall not be deemed employment within the meaning of the provisions of chapter 288, RSMo. A defendant performing services pursuant to this section shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo.

[4.] 5. The court may modify or enlarge the conditions of probation at any time prior to the expiration or termination of the probation term.

6. The defendant may refuse probation conditioned on a payment to a county crime reduction fund. If he does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. A judge may order payment to a crime reduction fund only if such fund had been created prior to sentencing by ordinance or resolution of a county of the state of Missouri. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering the probationers to make payments. A defendant who fails to make a payment or payments to a crime reduction fund may not have his probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the defendant either willfully refused to make the payment or that the defendant willfully, intentionally and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.”.

On motion of Representative Parker, **House Amendment No. 2** was adopted.

Representative Curls offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 40, Section 302.545, Line 3, by inserting the following at the end of said section:

“311.299. 1. Any establishment that is licensed pursuant to chapter 311, RSMo, to sell or serve alcoholic beverages at any establishment shall place on the premises of such establishment a warning sign as described in this section. Such sign shall be at least eleven inches by fourteen inches and shall read “WARNING: Drinking alcoholic beverages during pregnancy may cause birth defects.”. The licensee shall display such sign in a conspicuous place on the licensed premises.

2. Any employee of the supervisor of liquor control may report a violation of this section to the

supervisor, and the supervisor shall issue a warning to the licensee of the violation.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Curls, **House Amendment No. 3** was adopted.

Representative Gratz offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 43, Section 577.012, Line 9 of said page, by inserting after all of said line the following:

"577.020. 1. Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent to, subject to the provisions of sections 577.020 to 577.041, a chemical test or tests of the person's breath, blood, saliva or urine for the purpose of determining the alcohol or drug content of the person's blood pursuant to the following circumstances:

(1) If the person is arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed while the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(2) If the person is under the age of twenty-one, has been stopped by a law enforcement officer, and the law enforcement officer has reasonable grounds to believe that such person was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(3) If the person is under the age of twenty-one, has been stopped by a law enforcement officer, and the law enforcement officer has reasonable grounds to believe that such person has committed a violation of the traffic laws of the state, or any political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that such person has a blood alcohol content of two-hundredths of one percent or greater; or

(4) If the person is under the age of twenty-one, has been stopped at a sobriety checkpoint or roadblock and the law enforcement officer has reasonable grounds to believe that such person has a blood alcohol content of two-hundredths of one percent or greater; or

(5) If the person was operating a motor vehicle and involved in an accident; except that only a chemical test for drug content shall be performed pursuant to this subdivision and only if there was probable cause to believe the operator was intoxicated at the time of the accident.

The test shall be administered at the direction of the law enforcement officer whenever the person has been arrested or stopped for any reason, **or by a law enforcement officer or licensed medical personnel whenever the person has been involved in an accident pursuant to subdivision (5) of this subsection.**

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident or charge.

3. Chemical analysis of the person's breath, blood, saliva, or urine to be considered valid pursuant to the provisions of sections 577.020 to 577.041 shall be performed according to methods approved by the state department of health by licensed medical personnel or by a person possessing a valid permit issued by the state department of health for this purpose.

4. The state department of health shall approve satisfactory techniques, devices, equipment, or methods to be considered valid pursuant to the provisions of sections 577.020 to 577.041 and shall establish standards to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the state department of health.

5. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person at the choosing and expense of the person to be tested, administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

6. Upon the request of the person who is tested, full information concerning the test shall be made available to

him.

7. Any person given a chemical test of the person's breath pursuant to subsection 1 of this section or a field sobriety test may be videotaped during any such test at the direction of the law enforcement officer. Any such video recording made during the chemical test pursuant to this subsection or a field sobriety test shall be admissible as evidence at either any trial of such person for either a violation of any state law or county or municipal ordinance, or any license revocation or suspension proceeding pursuant to the provisions of chapter 302, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Gratz, **House Amendment No. 4** was adopted.

Representative May (108) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute #2 for Senate Committee Substitute for Senate Bill Nos. 934, 546, 579 & 782, Page 40, Section 302.545, Line 3, by inserting at the end of said section the following:

“478.001. **1. Drug and alcohol abuse** courts may be established by any circuit court pursuant to sections 478.001 to 478.006 to provide an alternative for the judicial system to dispose of cases which stem from drug **and alcohol** use. A drug **and alcohol abuse** court shall combine judicial supervision, drug **and alcohol** testing and treatment of drug **and alcohol abuse** court participants. Except for good cause found by the court, a drug **and alcohol abuse** court making a referral for substance abuse treatment, when such program will receive state or federal funds in connection with such referral, shall refer the person only to a program which is certified by the department of mental health, unless no appropriate certified treatment program is located within the same county as the drug **and alcohol abuse** court. Upon successful completion of the treatment program, the charges, petition or penalty against a drug **and alcohol abuse** court participant may be dismissed, reduced or modified. Any fees received by a court from a defendant as payment for substance treatment programs shall not be considered court costs, charges or fines.

2. A court shall determine if an assessment for drug or alcohol abuse is appropriate for a defendant in any drug or alcohol-related prosecution. Such assessment shall be made before sentencing.

478.003. In any judicial circuit of this state, a majority of the judges of the circuit court may designate a judge to hear cases arising in the circuit subject to the provisions of sections 478.001 to 478.006. In lieu thereof and subject to appropriations or other funds available for such purpose, a majority of the judges of the circuit court may appoint a person or persons to act as drug **and alcohol abuse** court commissioners. Each commissioner shall be appointed for a term of four years, but may be removed at any time by a majority of the judges of the circuit court. The qualifications and compensation of the commissioner shall be the same as that of an associate circuit judge. If the compensation of a commissioner appointed pursuant to this section is provided from other than state funds, the source of such fund shall pay to and reimburse the state for the actual costs of the salary and benefits of the commissioner. The commissioner shall have all the powers and duties of a circuit judge, except that any order, judgment or decree of the commissioner shall be confirmed or rejected by an associate circuit or circuit judge by order of record entered within the time the judge could set aside such order, judgment or decree had the same been made by the judge. If so confirmed, the order, judgment or decree shall have the same effect as if made by the judge on the date of its confirmation.

478.005. **1. Each circuit court shall establish conditions for referral of proceedings to the drug and alcohol abuse court. The defendant in any criminal proceeding accepted by a drug and alcohol abuse court for disposition shall be a nonviolent person, as determined by the prosecuting attorney. Any proceeding accepted by the drug and alcohol abuse court program for disposition shall be upon agreement of the parties.**

2. Any statement made by a participant as part of participation in the drug and alcohol abuse court program, or any report made by the staff of the program, shall not be admissible as evidence against the participant in any criminal, juvenile or civil proceeding. Notwithstanding the foregoing, termination from the drug and alcohol abuse court program and the reasons for termination may be considered in sentencing or disposition.

3. Notwithstanding any other provision of law to the contrary, drug and alcohol abuse court staff shall be provided with access to all records of any state or local government agency relevant to the treatment of any program

participant. Upon general request, employees of all such agencies shall fully inform a drug **and alcohol abuse** court staff of all matters relevant to the treatment of the participant. All such records and reports and the contents thereof shall be treated as closed records and shall not be disclosed to any person outside of the drug **and alcohol abuse** court, and shall be maintained by the court in a confidential file not available to the public.

478.009. 1. In order to coordinate the allocation of resources available to drug and alcohol abuse courts throughout the state, there is hereby established a “Drug and Alcohol Abuse Courts Coordinating Commission” in the judicial department. The drug and alcohol abuse courts coordinating commission shall consist of one member selected by the director of the department of corrections; one member selected by the director of the department of corrections; one member selected by the director of the department of social services; one member selected by the director of the department of mental health; one member selected by the director of the department of public safety; one member selected by the state courts administrator; and three members selected by the supreme court. The supreme court shall designate the chair of the commission. The commission shall periodically meet at the call of the chair; evaluate resources available for assessment and treatment of persons assigned to drug and alcohol abuse courts or for operation of drug and alcohol abuse courts; secure grants, funds and other property and services necessary or desirable to facilitate drug and alcohol abuse court operation; and allocate such resources among the various drug and alcohol abuse courts within the state.

2. There is hereby established in the state treasury a “Drug and Alcohol Abuse Court Resources Fund”, which shall be administered by the drug and alcohol abuse courts coordinating commission. Funds available for allocation or distribution by the drug and alcohol abuse courts coordinating commission may be deposited into the drug and alcohol abuse court resources fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the drug and alcohol abuse court resources fund shall not be transferred or placed to the credit of the general revenue fund of the state at the end of each biennium, but shall remain deposited to the credit of the drug and alcohol abuse court resources fund.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative May (108), **House Amendment No. 5** was adopted.

Representative Abel offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 61, Section 577.700, by deleting said section; and

Further amend on Page 45, Subsection 2, Line 20, by adding after the word “felony” [...] **where such prior offense occurred within five years of the occurrence of the intoxication related traffic offense for which the person is charged.**

On motion of Representative Abel, **House Amendment No. 6** was adopted by the following vote:

AYES: 077

Abel	Auer	Barry 100	Berkstresser	Black
Boykins	Bray 84	Britt	Brooks	Campbell
Cierpiot	Clayton	Crump	Curls	Davis 122
Davis 63	Dougherty	Farnen	Foley	Ford
George	Gibbons	Graham 106	Graham 24	Gratz
Griesheimer	Gunn	Hampton	Hanaway	Hartzler 123
Hegeman	Hickey	Hollingsworth	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lawson	Liese	Lograsso	Long	Luetkenhaus
Mays 50	McKenna	Merideth	Murphy	Murray
Naeger	O'Connor	O'Toole	Overschmidt	Pouche 30

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Ransdall	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Scheve	Schwab
Selby	Shelton	Shields	Summers	Thompson
Townley	Treadway	Tudor	Vogel	Wagner
Ward	Wiggins			

NOES: 071

Akin	Alter	Backer	Barnett	Bartelsmeyer
Bartle	Bennett	Berkowitz	Blunt	Boatright
Bonner	Boucher 48	Champion	Chrismer	Crawford
Days	Dolan	Enz	Evans	Fitzwater
Foster	Franklin	Fraser	Froelker	Gambaro
Gross	Hagan-Harrell	Hartzler 124	Hendrickson	Hilgemann
Holand	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Lakin	Legan	Levin	Linton
Loudon	Luetkemeyer	May 108	McClelland	McLuckie
Myers	Nordwald	Ostmann	Parker	Patek
Phillips	Pryor	Purgason	Reid	Reinhart
Relford	Sallee	Schilling	Scott	Seigfreid
Skaggs	Smith	Surface	Troupe	Van Zandt
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Burton	Elliott	Gaskill	Green
Harlan	Hohulin	Marble	McBride	Miller
Monaco	Secrest	Stokan		

VACANCIES: 002

Representative Patek offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 11, Section 302.060, Line 3, by inserting immediately after the word “license” the following:

“;

(13) To any person who is found to be a dangerous persistent offender pursuant to section 577.023, RSMo”; and

Further amend said bill, Page 26, Section 302.309, Line 13, by deleting the following: “**or (12)**” and inserting in lieu thereof the following: “, **(12) or (13)**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Patek, **House Amendment No. 7** was adopted by the following vote:

AYES: 083

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Blunt	Boatright

Boucher 48	Brooks	Champion	Chrismer	Cierpiot
Crawford	Davis 122	Dolan	Elliott	Enz
Evans	Foley	Foster	Froelker	Gaskill
Gibbons	Griesheimer	Gross	Hampton	Hanaway
Hartzler 124	Hegeman	Hendrickson	Hohulin	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kennedy
King	Kissell	Koller	Kreider	Lakin
Lawson	Liese	Loudon	Luetkenhaus	Marble
May 108	McClelland	Merideth	Monaco	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scott	Seigfreid	Shields	Skaggs	Smith
Summers	Surface	Tudor	Vogel	Williams 121
Williams 159	Wright	Mr. Speaker		

NOES: 063

Abel	Auer	Backer	Barry 100	Berkowitz
Black	Bonner	Boykins	Britt	Campbell
Clayton	Crump	Curls	Davis 63	Days
Dougherty	Farnen	Fitzwater	Ford	Franklin
Fraser	Gambaro	George	Graham 106	Gratz
Gunn	Hagan-Harrell	Hartzler 123	Hickey	Hilgemann
Hollingsworth	Legan	Levin	Linton	Lograsso
Mays 50	McBride	McKenna	McLuckie	Murphy
Murray	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Parker	Reynolds	Riley	Scheve
Schilling	Schwab	Selby	Shelton	Thompson
Townley	Treadway	Van Zandt	Wagner	Ward
Wiggins	Wilson 25	Wilson 42		

PRESENT: 000

ABSENT WITH LEAVE: 015

Bray 84	Burton	Graham 24	Green	Harlan
Holand	Kelly 27	Klindt	Long	Luetkemeyer
Miller	Richardson	Secrest	Stokan	Troupe

VACANCIES: 002

HCS SS #2 SCS SBs 934, 546, 578, 579 & 782, with HS, as amended, pending, was laid over.

HOUSE BILL WITH SENATE AMENDMENT

SS HS HCS HB 1797, relating to Insurance Identification Database Fund, was taken up by Representative Gratz.

Representative Gratz moved that the House refuse to adopt **SS HS HCS HB 1797, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS CARRYING REQUEST MESSAGES

HCS SS SS #3 SJR 35, as amended, relating to compensation of state elected officials, was

taken up by Representative Graham (24).

Representative Graham (24) moved that the House refuse to recede from its position on **HCS SS SS #3 SJR 35, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SS #2 SCS SBs 934, 546, 578, 579 & 782, with HS, as amended, pending, relating to gaming, was again taken up by Representative Hosmer.

Representative Kreider offered **House Amendment No. 8**.

Representative Hosmer raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Bennett offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 62, Section 577.700, Line 6 of said page, by inserting after all of said line the following:

"Section 1. No municipal court in any city with a population of less than fifty thousand inhabitants shall have jurisdiction over any alcohol-related traffic offense as defined in section 590.010, RSMo, and any such offense shall be tried in the circuit court."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bennett, **House Amendment No. 8** was adopted.

Representative Boucher offered **House Amendment No. 9**.

Representative Hosmer raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hartzler (124) offered **House Amendment No. 9**.

Representative Hosmer raised a point of order that **House Amendment No. 9** amends previously amended material.

The Chair ruled the point of order well taken.

Representative Wright offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 40, Section 575.012(2), Lines 18, 19 and 23, by inserting before the word “**eluding**” (Line 18) the word: “**willfully**”; and

Further amend said bill and section by deleting the words (Line 19) “**class A misdemeanor**” and replace with the words “**class d felony**”; and

Further amend said bill and section by inserting after Line 23, the following:

“**If such person causes a death or deaths to any other persons, in which case, the offense is a class B felony.**”

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 9.**

*House Substitute Amendment No. 1
for
House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 40, Section 575.012(2), Lines 18, 19 and 23, by inserting before the word “**eluding**” on Line 18, the word: “**purposely**”.

On motion of Representative Monaco, **House Substitute Amendment No. 1 for House Amendment No. 9** was adopted by the following vote:

AYES: 111

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Enz	Evans
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Gibbons	Graham 24	Gratz
Griesheimer	Gunn	Hagan-Harrell	Hampton	Hanaway
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kennedy
Kissell	Klindt	Kreider	Liese	Linton
Long	Luetkenhaus	May 108	Mays 50	McClelland
McKenna	McLuckie	Merideth	Monaco	Murphy
Murray	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Patek	Phillips	Pouche 30	Ransdall
Reid	Reinhart	Relford	Reynolds	Riley
Rizzo	Ross	Scheve	Schilling	Schwab
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Surface	Thompson	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward

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Wiggins
Mr. Speaker

Williams 121

Williams 159

Wilson 25

Wilson 42

NOES: 033

Ballard
Froelker
Hartzler 124
Legan
Myers
Ridgeway
Summers

Chrismer
Gaskill
Hegeman
Levin
Naeger
Robirds
Townley

Crawford
Graham 106
Hohulin
Loudon
Ostmann
Sallee
Wright

Farnen
Gross
Kelly 27
Luetkemeyer
Pryor
Scott

Foster
Hartzler 123
King
Marble
Purgason
Secrest

PRESENT: 000

ABSENT WITH LEAVE: 017

Bartelsmeyer
Elliott
Lakin
Richardson

Burton
Green
Lawson
Stokan

Cierpiot
Harlan
Lograsso

Dolan
Kasten
McBride

Dougherty
Koller
Miller

VACANCIES: 002

Representative Williams (159) assumed the Chair.

Speaker Gaw resumed the Chair.

Representative Crump moved the previous question on the motion to adopt **HS HCS SS #2 SCS SBs 934, 546, 578, 579 & 782, as amended.**

Which motion was defeated by the following vote:

AYES: 078

Abel
Bonner
Brooks
Davis 122
Fitzwater
Gambaro
Hampton
Hoppe
Koller
Luetkenhaus
Merideth
Parker
Rizzo
Shelton
Van Zandt
Williams 159

Auer
Boucher 48
Campbell
Davis 63
Foley
George
Harlan
Hosmer
Kreider
May 108
Monaco
Ransdall
Scheve
Skaggs
Wagner
Wilson 25

Backer
Boykins
Clayton
Days
Ford
Graham 24
Hickey
Kelly 27
Lakin
Mays 50
Murray
Relford
Schilling
Smith
Ward
Mr. Speaker

Barry 100
Bray 84
Crump
Dougherty
Franklin
Gratz
Hilgemann
Kennedy
Lawson
McKenna
O'Toole
Reynolds
Seigfreid
Thompson
Wiggins

Berkowitz
Britt
Curls
Farnen
Fraser
Hagan-Harrell
Hollingsworth
Kissell
Liese
McLuckie
Overschmidt
Riley
Selby
Treadway
Williams 121

NOES: 076

Akin
Bartle
Boatright
Dolan
Froelker
Gross
Hegeman
Kasten
Levin

Alter
Bennett
Champion
Elliott
Gaskill
Gunn
Hendrickson
Kelley 47
Linton

Ballard
Berkstresser
Chrismer
Enz
Gibbons
Hanaway
Hohulin
King
Lograsso

Barnett
Black
Cierpiot
Evans
Graham 106
Hartzler 123
Holand
Klindt
Long

Bartelsmeyer
Blunt
Crawford
Foster
Griesheimer
Hartzler 124
Howerton
Legan
Loudon

Luetkemeyer	Marble	McClelland	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reid	Reinhart
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Troupe	Tudor	Vogel
Wright				

PRESENT: 002

O'Connor Wilson 42

ABSENT WITH LEAVE: 005

Burton Green McBride Miller Stokan

VACANCIES: 002

Representative Ostmann offered **House Amendment No. 10**.

Representative Hosmer raised a point of order that **House Amendment No. 10** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Foster offered **House Amendment No. 10**.

Representative Hosmer raised a point of order that **House Amendment No. 10** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 13, Section 302.302, Line 1 of said page, by inserting immediately after the word "weight" the following:

"or driving with a blood alcohol content of fifteen-hundredths of one percent or more by weight"; and

Further amend said bill, Page 13, Section 302.302, Line 4 of said page, by inserting immediately after the word "weight" the following:

"or driving with a blood alcohol content of fifteen-hundredths of one percent or more by weight"; and

Further amend said bill, Page 33, Section 302.520, Line 23 of said page, by inserting after all of said line the following:

"302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be

stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege issued by the director of revenue for the limited purpose of driving in connection with the person's business, occupation, or employment, and to and from an alcohol education or treatment program. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, RSMo, and is otherwise eligible. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol related enforcement contacts during the immediately preceding five years.

3. For purposes of this section, "alcohol related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 [or], 577.012 **or 577.014**, RSMo, or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol related traffic offense, both the suspension or revocation under this section and any other suspension or revocation under this chapter shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation imposed under this chapter, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods."; and

Further amend said bill, Page 43, Section 577.012, Line 9 of said page, by inserting after all of said line the following:

"577.014. 1. A person commits the crime of "driving with extreme blood alcohol content" if such person operates a motor vehicle in this state with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For purposes of determining the alcoholic content of a person's blood pursuant to this section, the test shall be conducted pursuant to the provisions of sections 577.020 to 577.041.

3. For the first offense, driving with extreme blood alcohol content is a class A misdemeanor."; and

Further amend said bill, Page 43, Section 577.021, Line 13 of said page, by deleting the word "**or**" and inserting in lieu thereof the word "[or]"; and

Further amend said bill, Page 43, Section 577.021, Line 14 of said page, by inserting immediately after the number "**577.012**" the following: "**or 577.014**"; and

Further amend said bill, Page 43, Section 577.023, Line 24 of said page, by inserting immediately after the word "**content,**" the following: "**driving with extreme blood alcohol content,**"; and

Further amend said bill, Page 45, Section 577.023, Line 20 of said page, by inserting immediately after the word "**felony.**" the following:

"Any person who pleads guilty to or is found guilty of a violation of section 577.014 who is alleged and proved to be a prior offender is guilty of a class D felony."; and

Further amend said bill, Page 45, Section 577.023, Line 24 of said page, by inserting immediately after the word "felony." the following:

"Any person who pleads guilty to or is found guilty of a violation of section 577.014 who is alleged and proved to be a persistent offender is guilty of a class C felony."; and

Further amend said bill, Page 49, Section 577.037, Line 9 of said page, by deleting "**or 577.012**" and inserting in lieu thereof the following: "[or], 577.012 **or 577.014**"; and

Further amend said bill, Page 50, Section 577.037, Lines 13 to 14 of said page, by deleting "**or 577.012**" and inserting in lieu thereof the following: "[or], 577.012 **or 577.014**"; and

Further amend said bill, Page 51, Section 577.037, Line 9 of said page, by inserting after all of said line the following:

"577.039. An arrest without a warrant by a law enforcement officer, including a uniformed member of the state highway patrol, for a violation of section 577.010 [or], 577.012 **or 577.014** is lawful whenever the arresting officer has reasonable grounds to believe that the person to be arrested has violated the section, whether or not the violation occurred in the presence of the arresting officer and when such arrest without warrant is made within one and one-half hours after such claimed violation occurred, unless the person to be arrested has left the scene of an accident or has been removed from the scene to receive medical treatment, in which case such arrest without warrant may be made more than one and one-half hours after such violation occurred."; and

Further amend said bill, Page 51, Section 577.041, Line 16 of said page, by deleting "**or 577.012**" and inserting in lieu thereof the following: "[or], 577.012 **or 577.014**"; and

Further amend said bill, Page 57, Section 577.041, Line 13 of said page, by inserting after all of said line the following:

"577.048. Upon a plea of guilty or a finding of guilty for an offense of violating the provisions of section 577.010 [or], 577.012 **or 577.014** or violations of county or municipal ordinances involving alcohol or drug related traffic offenses, the court may, in addition to imposition of any penalties provided by law, order the convicted person to reimburse the state or local law enforcement agency which made the arrest for the costs associated with such arrest. Such costs shall include the reasonable cost of making the arrest, including the cost of any chemical test made [under] **pursuant to** this chapter to determine the alcohol or drug content of the person's blood, and the costs of processing, charging, booking and holding such person in custody. The state and each local law enforcement agency may establish a schedule of such costs; however, the court may order the costs reduced if it determines that the costs are excessive.

577.049. 1. Upon a plea of guilty or a finding of guilty for an offense of violating the provisions of section 577.010 [or], 577.012 **or 577.014** or violations of county or municipal ordinances involving alcohol or drug related traffic offenses, the court shall order the person to participate in and successfully complete a substance abuse traffic offender program defined in section 577.001.

2. The fees for the substance abuse traffic offender program, or a portion thereof, to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolling in the program. Any person who attends the program shall pay, in addition to any fee charged for the program, a supplemental fee of sixty dollars. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees for all persons enrolled in the program, less two percent for administrative costs. The supplemental fees received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Froelker, **House Amendment No. 10** was adopted by the

following vote:

AYES: 127

Abel	Akin	Alter	Backer	Ballard
Barnett	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Boucher 48
Bray 84	Britt	Campbell	Champion	Chrismer
Cierpiot	Crawford	Curls	Davis 122	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Griesheimer	Gross
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Legan	Levin
Liese	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McClelland
McKenna	Merideth	Monaco	Murphy	Murray
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Selby	Shelton	Shields	Smith
Summers	Surface	Thompson	Tudor	Van Zandt
Vogel	Wagner	Wiggins	Williams 121	Williams 159
Wright	Mr. Speaker			

NOES: 020

Barry 100	Bonner	Boykins	Brooks	Clayton
Crump	Davis 63	Days	Gunn	Kelly 27
Lawson	McLuckie	Overschmidt	Reynolds	Riley
Seigfreid	Skaggs	Troupe	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 014

Auer	Burton	Dolan	Green	Hagan-Harrell
Harlan	Linton	McBride	Miller	Naeger
Stokan	Townley	Treadway	Ward	

VACANCIES: 002

HCS SS SS #2 SCS SBs 934, 546, 578, 579 & 782, with HS, as amended, pending, was laid over.

HOUSE BILL WITH SENATE AMENDMENT

SS SCS HS HCS HBs 1566 & 1810, as amended, relating to small business tax credits, was taken up by Representative Bray.

Representative Bray moved that the House refuse to adopt **SS SCS HS HCS HBs 1566 & 1810, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SS#3 SJR 35**: Senators Goode, Schneider, Mathewson, Ehlmann and Flotron.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SJR 50**, and has taken up and passed **SJR 50**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SB 902, as amended**: Senators Mathewson, DePasco, Stoll, Rohrbach and Ehlmann.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 922, as amended**: Senators Scott, Johnson, Goode, Klarich and Yeckel.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HS HCS HB 1797, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to adopt the **CCR** on **HS HCS SB 856, as amended**, and requests the House grant the Senate further conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SB 896, as amended**, and has taken up and passed **CCS HS HCS SB 896**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SB 1053, as amended**, and has taken up and passed **CCS HS SB 1053**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS HS HCS HB 1797, as amended**: Senators Goode, Quick, Howard, Flotron and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HS HCS HBs 1566 & 1810, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Scott, Goode, Quick, Klarich and Singleton.

THIRD READING OF SENATE BILL

HCS SS SS #2 SCS SBs 934, 546, 578, 579 & 782, with HS, as amended, pending, relating to intoxicated-related offenses, was again taken up by Representative Hosmer.

Representative Pryor offered **House Amendment No. 11**.

House Amendment No. 11 was withdrawn.

Representative Pryor offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 43, Section 577.010, Line 9, by inserting the following at the end of said section:

"577.017. 1. No person shall consume [any] **an** alcoholic beverage [while operating a moving motor vehicle upon the highways, as defined in section 301.010, RSMo] **or possess an open alcoholic beverage container in the passenger area of the motor vehicle in any motor vehicle operated on a public highway or the right-of-way of a public highway.**

2. Any person found guilty of violating the provisions of this section is guilty of class c misdemeanor.

3. Any infraction under this section shall not reflect on any records with the department of revenue.

4. The provisions of this section shall not apply to passengers who are occupying a chartered tour bus or a recreational motor vehicle, or to possession of an open alcoholic beverage container behind the last upright seat of a motor vehicle that is not equipped with a trunk."; and

Further amend said title, enacting clause and intersectional references accordingly.

HCS SS SS #2 SCS SBs 934, 546, 578, 579 & 782, with House Amendment No. 11 and HS, as amended, pending, was laid over.

BILL CARRYING REQUEST MESSAGE

HS HCS SB 856, as amended, relating to managed care, was taken up by Representative

Harlan.

Representative Harlan moved that the House grant the Senate a further conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SS SS #2 SCS SBs 934, 546, 578, 579 & 782, with House Amendment No. 11 and HS, as amended, pending, relating to intoxicated-related offenses, was again taken up by Representative Hosmer.

Representative Evans offered **House Substitute Amendment No. 1 for House Amendment No. 11**.

*House Substitute Amendment No. 1
for
House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill Nos. 934, 546, 578, 579 & 782, Page 43, Section 577.010, Line 9, by inserting the following at the end of said section:

“577.017. 1. No person shall consume [any] **an** alcoholic beverage [while operating a moving motor vehicle upon the highways, as defined in section 301.010, RSMo.] **or possess an open alcoholic beverage container in the passenger area of the motor vehicle in any motor vehicle operated on a public highway or the right-of-way of a public highway.**

2. Any person found guilty of violating the provisions of this section is guilty of a class c misdemeanor.

3. Any infraction under this section shall not reflect on any records with the department of revenue.

4. This section shall not apply to passengers who are occupying a chartered vehicle, tour bus, or a recreational motor vehicle, or to possession of an open alcoholic beverage container behind the last upright seat of a motor vehicle that is not equipped with a trunk.”; and

Further amend said the title and enacting clause accordingly.

Representative Evans moved that **House Substitute Amendment No. 1 for House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 034

Akin	Ballard	Barnett	Bartle	Champion
Clayton	Evans	Foster	Gaskill	Gibbons
Hegeman	Kelley 47	King	Klindt	Legan
Levin	Linton	Lograsso	Loudon	Luetkemeyer
Marble	Naeger	Nordwald	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Robirds	Sallee
Scott	Secrest	Shields	Summers	

NOES: 106

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Alter	Auer	Backer	Barry 100	Bartelsmeyer
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Britt
Brooks	Campbell	Chrismer	Cierpiot	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Enz	Farnen	Fitzwater	Foley
Ford	Fraser	Froelker	Gambaro	George
Graham 106	Graham 24	Gratz	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hendrickson	Hickey	Hilgemann	Hohulin
Hollingsworth	Hoppe	Hosmer	Howerton	Kelly 27
Kennedy	Kissell	Kreider	Lakin	Lawson
Liese	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murray	Myers	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Ransdall	Reid
Relford	Reynolds	Ridgeway	Riley	Rizzo
Ross	Scheve	Schilling	Schwab	Selby
Shelton	Smith	Surface	Thompson	Troupe
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 021

Abel	Bray 84	Burton	Dougherty	Elliott
Franklin	Green	Harlan	Holand	Kasten
Koller	Long	Miller	Murphy	Richardson
Seigfreid	Skaggs	Stokan	Townley	Treadway
Tudor				

VACANCIES: 002

On motion of Representative Pryor, **House Amendment No. 11** was adopted by the following vote:

AYES: 083

Akin	Alter	Backer	Ballard	Barnett
Bartelsmeyer	Bartle	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Campbell	Champion
Chrismer	Cierpiot	Crawford	Davis 122	Elliott
Enz	Foley	Foster	Franklin	Froelker
Gaskill	Gibbons	Graham 106	Gross	Hanaway
Hartzler 124	Hegeman	Hohulin	Holand	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	King
Klindt	Lakin	Legan	Levin	Linton
Lograsso	Luetkemeyer	Marble	May 108	Mays 50
McClelland	McLuckie	Monaco	Murphy	Myers
Nordwald	Ostmann	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reinhart	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Scott	Secrest	Shields	Skaggs
Smith	Summers	Tudor	Van Zandt	Williams 121
Williams 159	Wright	Mr. Speaker		

NOES: 066

Abel	Auer	Barry 100	Bennett	Berkowitz
Boykins	Britt	Brooks	Clayton	Crump
Curls	Davis 63	Days	Dolan	Dougherty
Evans	Farnen	Fitzwater	Ford	Fraser
Gambaro	George	Graham 24	Gratz	Griesheimer
Gunn	Hagan-Harrell	Hampton	Hartzler 123	Hendrickson
Hickey	Hilgemann	Hollingsworth	Kelly 27	Kennedy

Kissell	Koller	Kreider	Lawson	Loudon
Luetkenhaus	McBride	McKenna	Merideth	Naeger
O'Connor	O'Toole	Overschmidt	Parker	Patek
Reid	Relford	Reynolds	Riley	Schwab
Seigfreid	Selby	Thompson	Treadway	Troupe
Vogel	Wagner	Ward	Wiggins	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bray 84	Burton	Green	Harlan	Liese
Long	Miller	Murray	Shelton	Stokan
Surface	Townley			

VACANCIES: 002

Representative Bennett offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Substitute #2 for Senate Bill No. 934, 546, 578, 579 & 782, Page 62, Section 577.700, Line 6, by inserting after said line the following:

“Section 1. The provisions within this act shall not become effective until after a court a competent jurisdiction has adjudicated the legality and constitutionality of the Transportation Equity Act of the 21st Century (TEA-21) as it applies to the state of Missouri.”; and

Further amend the title and enacting clause accordingly.

Representative Bennett moved that **House Amendment No. 12** be adopted.

Which motion was defeated.

Representative Koller offered **House Amendment No. 13.**

Representative Hosmer raised a point of order that **House Amendment No. 13** not germane to the bill.

The Chair ruled the point of order well taken.

Representative Kelley (47) offered **House Amendment No. 13.**

Representative Gambaro raised a point of order that **House Amendment No. 13** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative O'Toole offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Substitute #2 for Senate Bill No. 934, 546, 578, 579 & 782, Page 62, Section 577.700, Line 6, by inserting at the end of said section the following:

“Section 1. All cities and municipalities with populations over 10,000 shall provide a sober chauffeur program for impaired drivers from 6:00 P.M. and 4:00 A.M. daily.”; and

Further amend the title and enacting clause, and intersectional references accordingly.

Representative O'Toole moved that **House Amendment No. 13** be adopted.

Which motion was defeated.

Representative Reid offered **House Amendment No. 14**.

Representative Hosmer raised a point of order that **House Amendment No. 14** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative O'Connor offered **House Amendment No. 14**.

Representative Hosmer raised a point of order that **House Amendment No. 14** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Hosmer, **HS HCS SS #2 SCS SBs 934, 546, 578, 579 & 782, as amended**, was adopted.

Representative Naeger moved that **HS HCS SS #2 SCS SBs 934, 546, 578, 579 & 782, as amended**, be referred to Committee on Fiscal Review.

Which motion was defeated by the following vote:

AYES: 046

Clayton	Crump	Davis 63	Evans	Farnen
George	Gibbons	Graham 24	Griesheimer	Gross
Gunn	Hampton	Hegeman	Hendrickson	Hickey
Hohulin	Howerton	Kasten	Kelly 27	Kennedy
Klindt	Liese	Lograsso	Loudon	McBride
McKenna	Murray	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Pouche 30	Purgason
Reynolds	Ridgeway	Schwab	Seigfreid	Shields
Thompson	Treadway	Troupe	Vogel	Wagner
Wright				

NOES: 096

Akin	Alter	Auer	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Britt	Brooks	Campbell

Champion	Chrismer	Cierpiot	Crawford	Curls
Davis 122	Days	Enz	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	Graham 106	Hagan-Harrell	Hanaway
Hartzler 123	Hartzler 124	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Kelley 47	King	Kissell
Koller	Kreider	Lakin	Legan	Levin
Luetkemeyer	Luetkenhaus	May 108	Mays 50	McClelland
McLuckie	Merideth	Murphy	Myers	Parker
Patek	Phillips	Pryor	Ransdall	Reid
Reinhart	Relford	Richardson	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Secrest	Selby	Shelton	Skaggs	Smith
Summers	Surface	Tudor	Van Zandt	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 019

Abel	Ballard	Bray 84	Burton	Dolan
Dougherty	Elliott	Gratz	Green	Harlan
Lawson	Linton	Long	Marble	Miller
Monaco	Scott	Stokan	Townley	

VACANCIES: 002

On motion of Representative Hosmer, **HS HCS SS #2 SCS SBs 934, 546, 578, 579 & 782, as amended**, was read the third time and passed by the following vote:

AYES: 097

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Britt	Campbell	Champion	Chrismer
Cierpiot	Crawford	Davis 122	Dolan	Dougherty
Enz	Fitzwater	Foley	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	Graham 106
Hagan-Harrell	Hampton	Hanaway	Hartzler 123	Hartzler 124
Hendrickson	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	King	Kissell
Koller	Kreider	Lakin	Legan	Levin
Luetkemeyer	Luetkenhaus	Marble	May 108	McLuckie
Merideth	Murphy	Myers	Nordwald	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Scott	Seigfreid	Selby	Shelton	Skaggs
Smith	Summers	Surface	Tudor	Van Zandt
Ward	Wiggins	Williams 121	Williams 159	Wilson 42
Wright	Mr. Speaker			

NOES: 048

Auer	Boykins	Brooks	Clayton	Crump
Curls	Davis 63	Days	Evans	Farnen
Ford	George	Graham 24	Gratz	Griesheimer
Gross	Gunn	Hegeman	Hickey	Hohulin
Kelly 27	Kennedy	Klindt	Lawson	Liese
Lograsso	Loudon	Mays 50	McBride	McKenna
Murray	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Reynolds	Ridgeway	Riley	Schwab
Secrest	Shields	Thompson	Treadway	Troupe
Vogel	Wagner	Wilson 25		

PRESENT: 000

ABSENT WITH LEAVE: 016

Ballard	Bray 84	Burton	Elliott	Gibbons
Green	Harlan	Kelley 47	Linton	Long
McClelland	Miller	Monaco	Richardson	Stokan
Townley				

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Gambaro, title to the bill was agreed to.

Representative May (108) moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

HCS SS SCS SBs 678 & 742, as amended, with House Amendment No. 43, pending, relating to judicial and administrative procedure, was taken up by Representative May (108).

House Amendment No. 43 was withdrawn.

Representative Smith offered **House Amendment No. 43.**

House Amendment No. 43

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 40, Section 565.030, Line 62, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit, a felony offense of chapter 566, RSMo; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit one or more of the following offenses: kidnapping; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; incest; abuse of a child; used a child in a sexual performance; or promoting sexual performance by a child; and committed or attempted to commit the offense against a victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under [seventeen] **eighteen** years of age; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any person who is a resident of this state [who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere in any other state or under federal jurisdiction to committing, or attempting to commit, an offense which, if committed in this state, would be a felony violation of chapter 566, RSMo, or a felony violation of any offense listed in subdivision (2) of this subsection] **and has been or is required to register in another state or has been or is required to register under federal or military law; or**

(6) **Any person who has been or is required to register in another state or has been or is required to register under federal or military law and who works or attends school or training on a full-time or on a part-**

time basis in Missouri. Part-time in this subdivision means for more than fourteen days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 applies shall, within ten days of coming into any county, register with the chief law enforcement official of the county in which such person resides. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town or village law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town or village law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 to 589.425 are lifetime registration requirements unless all offenses requiring registration are reversed, vacated or set aside or unless the registrant is pardoned of the offenses requiring registration.

589.410. 1. The chief law enforcement official shall forward the completed offender registration form to the [central repository] within [ten] **three** days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system upon inquiry.

2. The department of public safety shall develop and maintain a system for making the registry of persons who have pled guilty to or been convicted of a third or subsequent sexual offense requiring registration, and have demonstrated predatory behavior, available on its Internet web site. Notwithstanding the provisions of section 589.417 to the contrary, the information to be available on the Internet shall include the person's name; date of birth; address of residence; crime which requires registration; whether such person was sentenced as a predatory or persistent sexual offender pursuant to section 558.018, RSMo, date, place and brief description of such crime; of such conviction or plea regarding such crime; age and gender of the victim at the time of the offense; photograph, and such other information as the department of public safety may determine is necessary to preserve public safety. The system shall be secure and not capable of being altered except by or through the department of public safety.

3. The information shall be removed from the Internet after twenty years unless the offender has pled guilty to or been found guilty of a sexual offense pursuant to chapter 566, RSMo, during such time period.

589.414. 1. If any person required by sections 589.400 to 589.425 to register changes residence or address within the same county as such person's previous address, the person shall inform the chief law enforcement official in writing within ten days of such new address and phone number, if the phone number is also changed.

2. If any person required by [section] **sections 589.400 to 589.425** to register changes such person's residence or address to a different county, the person shall **appear in person and shall** inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county having jurisdiction over the new residence or address in writing within ten days, of such new address and phone number, if the phone number is also changed. **If any person required by sections 589.400 to 589.425 to register changes their state of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state having jurisdiction over the new residence or address within ten days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county where the person was previously registered shall promptly inform the Missouri state highway patrol of the change. When the registrant is changing the residence to a new state, the Missouri state highway patrol shall promptly inform the responsible official in the new state of residence.**

3. Any person required by sections 589.400 to 589.425 to register who officially changes such person's name shall inform the chief law enforcement officer of such name change within seven days after such change is made.

4. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall [contact] **report in person to** the county law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

(1) Any offender registered as a predatory or persistent sexual offender **as defined in section 558.018, RSMo;**
(2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and

(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

5. In addition to the requirements of subsections 1 and 2 of this section, all registrants shall report annually in person in the month of their birth to the county law enforcement agency to verify the information

contained in their statement made pursuant to section 589.407.

6. In addition to the requirements of subsections 1 and 2 of this section, all Missouri registrants who work or attend school or training on a full-time or part-time basis in any other state shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time in this subsection means for more than fourteen days in any twelve-month period.

589.425. 1. Any person who is required to register pursuant to sections 589.400 to 589.425 and[:

(1) Includes any false information in such person's registration statement; or

(2) Fails to register; or

(3) Fails to timely verify registration information pursuant to section 589.414;] **does not meet all requirements of sections 589.400 to 589.425** is guilty of a class A misdemeanor.

2. Any person who commits a second or subsequent violation of subsection 1 of this section is guilty of a class D felony.

595.045. 1. There is established in the state treasury the "Crime Victims' Compensation Fund". A surcharge of [five] **ten** dollars shall be assessed as costs in each court proceeding filed in any court in the state in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of [five] **ten** dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031, RSMo.

2. Notwithstanding any other provision of law to the contrary, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with [section 514.015] **sections 488.010 to 488.020**, RSMo, and shall be payable to the director of the department of revenue.

3. The director of revenue shall deposit annually the amount of two hundred fifty thousand dollars to the state forensic laboratory account administered by the department of public safety to provide financial assistance to defray expenses of crime laboratories if such analytical laboratories are registered with the federal Drug Enforcement Agency or the Missouri department of health. Subject to appropriations made therefor, such funds shall be distributed by the department of public safety to the crime laboratories serving the courts of this state making analysis of a controlled substance or analysis of blood, breath or urine in relation to a court proceeding.

[3.] **4.** The remaining funds collected [under] **pursuant to** subsection 1 of this section shall be **devoted to the payment of an annual appropriation for the administrative and operational costs of the office for victims of crime and, if a statewide automated crime victim notification system, which may include Internet capabilities, is established pursuant to subsection 3 of section 650.310, RSMo, to the monthly payment of expenditures actually incurred in the operation of such system. Additional remaining funds shall be** subject to the following provisions:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100;

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100;

[4.] **5.** The director of revenue or such director's designee shall at least monthly report the moneys paid pursuant to this section into the crime victims' compensation fund and the services to victims fund to the division of workers' compensation and the department of public safety, respectively.

[5.] **6.** The moneys collected by clerks of municipal courts pursuant to subsection 1 of this section shall be

collected and disbursed as provided by [section 514.015] **sections 488.010 to 488.020**, RSMo. Five percent of such moneys shall be payable to the city treasury of the city from which such funds were collected. The remaining ninety-five percent of such moneys shall be payable to the director of revenue. The funds received by the director of revenue pursuant to this subsection shall be distributed as follows:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100;

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100.

[6.] **7.** These funds shall be subject to a biennial audit by the Missouri state auditor. Such audit shall include all records associated with crime victims' compensation funds collected, held or disbursed by any state agency.

[7.] **8.** In addition to the moneys collected pursuant to subsection 1 of this section, the court shall enter a judgment in favor of the state of Missouri, payable to the crime victims' compensation fund, of sixty-eight dollars if the conviction is for a class A or B felony; forty-six dollars if the conviction is for a class C or D felony; and ten dollars if the conviction is for any misdemeanor [under] **pursuant to** the following Missouri laws:

- (1) Chapter 195, RSMo, relating to drug regulations;
- (2) Chapter 311, RSMo, but relating only to felony violations of this chapter committed by persons not duly licensed by the supervisor of liquor control;
- (3) Chapter 491, RSMo, relating to witnesses;
- (4) Chapter 565, RSMo, relating to offenses against the person;
- (5) Chapter 566, RSMo, relating to sexual offenses;
- (6) Chapter 567, RSMo, relating to prostitution;
- (7) Chapter 568, RSMo, relating to offenses against the family;
- (8) Chapter 569, RSMo, relating to robbery, arson, burglary and related offenses;
- (9) Chapter 570, RSMo, relating to stealing and related offenses;
- (10) Chapter 571, RSMo, relating to weapons offenses;
- (11) Chapter 572, RSMo, relating to gambling;
- (12) Chapter 573, RSMo, relating to pornography and related offenses;
- (13) Chapter 574, RSMo, relating to offenses against public order;
- (14) Chapter 575, RSMo, relating to offenses against the administration of justice;
- (15) Chapter 577, RSMo, relating to public safety offenses. Any clerk of the court receiving moneys pursuant to such judgments shall collect and disburse such crime victims' compensation judgments in the manner provided by [section 514.015] **sections 488.010 to 488.020**, RSMo. Such funds shall be payable to the state treasury and deposited to the credit of the crime victims' compensation fund.

[8.] **9.** The clerk of the court processing such funds shall maintain records of all dispositions described in subsection 1 of this section and all dispositions where a judgment has been entered against a defendant in favor of the state of Missouri in accordance with this section; all payments made on judgments for alcohol-related traffic offenses; and any judgment or portion of a judgment entered but not collected. These records shall be subject to audit by the state auditor. The clerk of each court transmitting such funds shall report separately the amount of dollars collected on judgments entered for alcohol-related traffic offenses from other crime victims' compensation collections or services to victims collections.

[9.] **10.** The clerks of the court shall report all delinquent payments to the department of revenue by October first of each year for the preceding fiscal year, and such sums may be withheld pursuant to subsection [14] **15** of this section.

[10.] **11.** The department of revenue shall maintain records of funds transmitted to the crime victims'

compensation fund by each reporting court and collections pursuant to subsection [17] **18** of this section and shall maintain separate records of collection for alcohol-related offenses.

[11.] **12.** Notwithstanding any other provision of law to the contrary, the provisions of subsections [8 and] 9 **and 10** of this section shall expire and be of no force and effect upon the effective date of the supreme court rule adopted pursuant to [section 514.015] **sections 488.010 to 488.020**, RSMo.

[12.] **13.** The state courts administrator shall include in the annual report required by section 476.350, RSMo, the circuit court caseloads and the number of crime victims' compensation judgments entered.

[13.] **14.** All awards made to injured victims [under] **pursuant to** sections 595.010 to 595.105 and all appropriations for administration of sections 595.010 to 595.105, except sections 595.050 and 595.055, shall be made from the crime victims' compensation fund. Any unexpended balance remaining in the crime victims' compensation fund at the end of each biennium shall not be subject to the provision of section 33.080, RSMo, requiring the transfer of such unexpended balance to the ordinary revenue fund of the state, but shall remain in the crime victims' compensation fund. In the event that there are insufficient funds in the crime victims' compensation fund to pay all claims in full, all claims shall be paid on a pro rata basis. If there are no funds in the crime victims' compensation fund, then no claim shall be paid until funds have again accumulated in the crime victims' compensation fund. When sufficient funds become available from the fund, awards which have not been paid shall be paid in chronological order with the oldest paid first. In the event an award was to be paid in installments and some remaining installments have not been paid due to a lack of funds, then when funds do become available that award shall be paid in full. All such awards on which installments remain due shall be paid in full in chronological order before any other postdated award shall be paid. Any award pursuant to this subsection is specifically not a claim against the state, if it cannot be paid due to a lack of funds in the crime victims' compensation fund.

[14.] **15.** When judgment is entered against a defendant as provided in this section and such sum, or any part thereof, remains unpaid, there shall be withheld from any disbursement, payment, benefit, compensation, salary, or other transfer of money from the state of Missouri to such defendant an amount equal to the unpaid amount of such judgment. Such amount shall be paid forthwith to the crime victims' compensation fund and satisfaction of such judgment shall be entered on the court record. Under no circumstances shall the general revenue fund be used to reimburse court costs or pay for such judgment. The director of the department of corrections shall have the authority to pay into the crime victims' compensation fund from an offender's compensation or account the amount owed by the offender to the crime victims' compensation fund, provided that the offender has failed to pay the amount owed to the fund prior to entering a correctional facility of the department of corrections.

[15.] **16.** All interest earned as a result of investing funds in the crime victims' compensation fund shall be paid into the crime victims' compensation fund and not into the general revenue of this state.

[16.] **17.** Any person who knowingly makes a fraudulent claim or false statement in connection with any claim hereunder is guilty of a class A misdemeanor.

[17.] **18.** Any gifts, contributions, grants or federal funds specifically given to the division for the benefit of victims of crime shall be credited to the crime victims' compensation fund. Payment or expenditure of moneys in such funds shall comply with any applicable federal crime victims' compensation laws, rules, regulations or other applicable federal guidelines."; and

Further amend said bill, Page 43, Section 621.198, Line 21, by inserting after all of said line the following:

"650.300. As used in sections 650.300 to 650.310, the following terms shall mean:

- (1) "Catastrophic crime", a violation of section 569.070, RSMo;**
- (2) "Office", the office for victims of crime;**
- (3) "Private agency", a private agency as defined in section 590.010, RSMo;**
- (4) "Public agency", a public agency as defined in section 590.010, RSMo;**
- (5) "Victim of crime", a person afforded rights as a victim or entitled to compensation or services as a victim pursuant to chapter 595, RSMo.**

650.310. 1. The "Office for Victims of Crime" is hereby created within the department of public safety for the purpose of promoting the fair and just treatment of victims of crime, including victims of computer crimes. The office shall coordinate and promote the state's program for victims of crime and shall provide channels of communication among public and private agencies regarding their interrelation in the provision of victim services and other issues related to victims of crime. The office may directly assist victims of crime in seeking services and in exercising the rights afforded to victims of crime pursuant to chapter 595, RSMo, and

the Missouri Constitution. In the event of a catastrophic crime, the office shall develop and coordinate the implementation of a response plan to meet the needs of any resulting victims of crime.

2. The department of corrections shall cooperate with the office for victims of crime in the establishment of a system to reimburse victims of crime for attending parole hearings. The office may reimburse a person for the costs of mileage and lost wages incurred by attendance at a parole hearing arising from a crime directly responsible for such person's status as a victim of crime.

3. The office for victims of crime shall assess and report to the governor the costs and benefits of establishing a statewide automated crime victim notification system within the criminal justice system and shall serve as the coordinating agency for the development, implementation, and maintenance of any such system. When the fiscal resources are available, the system may include Internet computer capabilities.

4. The department of public safety may promulgate reasonable rules to meet the objectives of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Smith, **House Amendment No. 43** was adopted.

Representative Scheve offered **House Amendment No. 44**.

Representative Hanaway raised a point of order that **House Amendment No. 44** is dilatory.

Representative Patek raised an additional point of order that **House Amendment No. 44** amends previously amended material.

The Chair ruled the second point of order well taken.

Representative Parker offered **House Amendment No. 44**.

House Amendment No. 44

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 44, by inserting after said page the following:

"374.695. Sections 374.695 to 374.775 may be known and shall be cited as the "Professional Bail Bondsman Licensing Act".

[374.700. As used in sections 374.700 to 374.775, the following terms shall mean:

(1) "Bail bond agent", a surety agent or an agent of a property bail bondsman who is duly licensed under the provisions of sections 374.700 to 374.775, is employed by and is working under the authority of a licensed general bail bond agent;

(2) "Department", the department of insurance of the state of Missouri;

(3) "Director", the director of the department of insurance;

(4) "General bail bond agent", a surety agent or a property bail bondsman, as defined in sections 374.700 to 374.775, who is licensed in accordance with sections 374.700 to 374.775 and who devotes at least fifty percent of his working time to the bail bond business in this state;

(5) "Property bail bondsman", a person who pledges United States currency, United States postal money orders

or cashier's checks or other property as security for a bail bond in connection with a judicial proceeding, and who receives or is promised therefor money or other things of value;

(6) "Surety bail bond agent", any person appointed by an insurer by power of attorney to execute or countersign bail bonds in connection with judicial proceedings, and who receives or is promised money or other things of value therefor.]

374.700. For the purposes of sections 374.700 to 374.775, the following terms mean:

(1) "Admission to bail", an order from a competent court that the defendant be discharged from actual custody on bail and fixing the amount of the bail;

(2) "Bail bond agent", a surety agent or an agent of a property bail bondsman who is duly licensed pursuant to the provisions of sections 374.700 to 374.775, is employed by or is working under the authority of a licensed general bail bond agent;

(3) "Bail bond or appearance bond", a bond for a specified monetary amount which is executed by the defendant and a qualified licensee pursuant to sections 374.700 to 374.775 and which is issued to a court or authorized officer as security for the subsequent court appearance of the defendant upon the defendant's release from actual custody pending the appearance;

(4) "Department", the department of insurance of the state of Missouri;

(5) "General bail bond agent", a surety agent or a property bail bondsman who is licensed in accordance with sections 374.700 to 374.775 and who devotes at least fifty percent of his or her working time to the bail bond business in this state;

(6) "Insurer", any surety insurance company which is qualified by the department to transact surety business in Missouri;

(7) "Licensee", a bail bond agent or a general bail bond agent;

(8) "Property bail bondsman", a person who pledges United States currency, United States postal money orders or cashier's checks or other property as security for a bail bond in connection with a judicial proceeding, and who receives or is promised therefor money or other things of value;

(9) "Surety", a bail bond agent acting through a general bail bond agent, or a resident of the state and an owner of visible property, over and above that exempt from execution to the value of the sum in which bail is required which shall be worth that amount after the payment of debts and liabilities;

(10) "Surety bail bond agent", any person appointed by an insurer by power of attorney to execute or countersign bail bonds in connection with judicial proceedings, and who receives or is promised money or other things of value therefor;

(11) "Taking of bail" or "take bail", the acceptance by a person authorized to take bail of the undertaking of a sufficient surety for the appearance of the defendant according to the terms of the undertaking or that the surety will pay to the court the sum specified. Taking of bail or take bail does not include the fixing of the amount of bail and no person other than a competent court shall fix the amount of bail.

374.702. 1. No person shall engage in the bail bond business without being licensed as provided in sections 374.700 to 374.775.

2. No judge, attorney, court official, law enforcement officer, state, county or municipal employee, who is either elected or appointed, shall be licensed as a bail bond agent or a general bail bond agent.

3. A bail bond agent shall not execute or issue an appearance bond in this state without holding a valid appointment from a general bail bond agent and without attaching to the appearance bond an executed and prenumbered power of attorney referencing the general bail bond agent or insurer. A person licensed as a bail bond agent shall hold the license for at least one year prior to owning or being an officer of a licensed general bail bond agent.

4. A general bail bond agent shall not engage in the bail bond business:

(1) Without having been licensed as a general bail bond agent pursuant to sections 374.700 to 374.775;

(2) Except through an agent licensed as a bail bond agent pursuant to sections 374.700 to 374.775.

5. A general bail bond agent shall not permit any unlicensed person to solicit or engage in the bail bond business in the general bail bond agent's behalf, except for individuals who are employed solely for the performance of clerical, stenographic, investigative or other administrative duties which do not require a license pursuant to sections 374.700 to 374.775.

6. Any person who is convicted of a provision of this section is guilty of a class A misdemeanor. For any subsequent convictions, a person who is convicted of a provision of this section is guilty of a class D felony.

374.704. 1. Every applicant for a bail bond agent license or a general bail bond agent license shall apply

on forms furnished by the department.

2. The application of a bail bond agent shall be accompanied by a duly executed general power of attorney issued by the general bail bond agent or insurer for whom the bail bond agent will be acting. Upon issuance of the license, a bail bond agent shall not issue an appearance bond exceeding the monetary amount for each recognizance which is specified in and authorized by the general power of attorney filed with the department until the department receives a duly executed qualifying power of attorney from the general bail bond agent or insurer evidencing or authorizing increased monetary limits or amounts for the recognizance.

3. An application for a general bail bond agent license shall be accompanied by proof that the applicant is a Missouri partnership, firm or corporation, or an individual who is a resident of the state. A corporation shall file proof that its most recent annual franchise tax has been paid to the department of revenue as provided in chapter 147, RSMo.

4. No license shall be granted without a showing that the applicant or applicant's insurer has proof of a three hundred thousand dollar bond or liability policy insuring against any damage to persons or property caused by the applicant.

374.715. Applications for examination and licensure as a bail bond agent or general bail bond agent shall be in writing and on forms prescribed and furnished by the department, and shall contain such information as the department requires. Each application shall be accompanied by proof satisfactory to the department that the applicant is a citizen of the United States, is at least twenty-one years of age, is of good moral character, and meets the qualifications for surety on bail bonds as provided by supreme court rule. Each application shall be accompanied by the examination and application fee set by the department. In addition, each applicant for licensure as a general bail bond agent shall furnish proof satisfactory to the department that the applicant, or, if the applicant is a corporation or partnership, that each officer or partner thereof has completed at least two years as a bail bond agent, as defined in sections 374.700 to 374.775, and that the applicant possesses liquid assets [of at least ten thousand dollars] **according to the following schedule**, along with a duly executed assignment [of ten thousand dollars] to the state of Missouri **in the same amount:**

- (a) **If the general bail bond agent employs three or less bail bond agents, at least fifteen thousand dollars;**
- (b) **If the general bail bond agent employs four to ten bail bond agents, at least twenty-five thousand dollars;**
- (c) **If the general bail bond agent employs eleven to fifteen bail bond agents, at least forty-five thousand dollars;**
- (d) **If the general bail bond agent employs sixteen to twenty bail bond agents, at least sixty-five thousand dollars;**
- (e) **If the general bail bond agent employs twenty-one to twenty-five bail bond agents, at least eighty-five thousand dollars;**
- (f) **If the general bail bond agent employs twenty-six to fifty bail bond agents, at least one hundred thousand dollars;**
- (g) **If the general bail bond agent employs over fifty bail bond agents, at least two hundred thousand dollars.**

[, which] **The** assignment shall become effective upon the applicant's violating any provision of sections 374.700 to 374.775. The assignment required by this section shall be in the form, and executed in the manner, prescribed by the department.

374.717. No insurer or licensee, court or law enforcement officer shall:

(1) **Pay a fee or rebate or give or promise anything of value in order to secure a settlement, compromise, remission or reduction of the amount of any bail bond to:**

(a) **A jailer, policeman, peace officer, committing judge or any other person who has power to arrest or to hold in custody any person; or**

(b) **Any public official or public employee;**

(2) **Pay a fee or rebate or give anything of value to an attorney in bail bond matters, except in defense of any action on a bond;**

(3) **Pay a fee or rebate or give promise of anything of value to the principal or anyone in the principal's behalf;**

(4) **Accept anything of value from a principal except the premium and expenses incurred; provided that, the licensee shall be permitted to accept collateral security or other indemnity from the principal which shall be returned upon final termination of liability on the bond. If a forfeiture has occurred, the collateral security or other indemnity from the principal may be used to reimburse the licensee for any costs and expenses incurred**

associated with the forfeiture. The collateral security or other indemnity required by the licensee shall be reasonable in relation to the amount of the bond. Collateral may not be sold or otherwise transferred until the termination of liability on the bond. When a licensee accepts collateral, the licensee shall provide a prenumbered written receipt, which shall include in detail a full account of the collateral received by the licensee.

374.755. 1. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any license required by sections 374.700 to 374.775 or any person who has failed to renew or has surrendered his license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of the profession licensed under sections 374.700 to 374.775;

(2) Having entered a plea of guilty or having been found guilty of a felony **or crime involving moral turpitude;**

(3) Use of fraud, deception, misrepresentation or bribery in securing any license [issued pursuant to sections 374.700 to 374.775] or in obtaining permission to take any examination [given or] required pursuant to sections 374.700 to 374.775;

(4) Obtaining or attempting to obtain any compensation as a member of the profession licensed by sections 374.700 to 374.775 by means of fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of the profession licensed or regulated by sections 374.700 to 374.775;

(6) Violation of[, or assisting or enabling any other person to violate, any provision of sections 374.700 to 374.775 or of any lawful rule or regulation promulgated pursuant to sections 374.700 to 374.775] **any provisions of, or any obligations imposed by, the laws of this state, department of insurance rules and regulations or aiding or abetting other persons to violate such laws, orders, rules or regulations;**

(7) Transferring a license or permitting another person to use a license of the licensee;

(8) Disciplinary action against the holder of a license or other right to practice the profession regulated by sections 374.700 to 374.775 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) Being finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice the profession licensed or regulated by sections 374.700 to 374.775 who is not currently licensed and eligible to practice [under] **pursuant to** sections 374.700 to 374.775;

(11) [Paying a fee or rebate, or giving or promising anything of value, to a jailer, policeman, peace officer, judge or any other person who has the power to arrest or to hold another person in custody, or to any public official or employee, in order to secure a settlement, compromise, remission or reduction of the amount of any bail bond or estreatment thereof;

(12) Paying a fee or rebate, or giving anything of value to an attorney in bail bond matters, except in defense of any action on a bond;

(13) Paying a fee or rebate, or giving or promising anything of value, to the principal or anyone in his behalf;

(14)] Participating in the capacity of an attorney at a trial or hearing of one on whose bond he is surety.

2. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that one or more of the causes stated in subsection 1 of this section have been met, the department may [do any or all of the following:

(1) Censure the person involved;

(2) Place the person involved on probation on such terms and conditions as the department deems appropriate for a period not to exceed ten years;

(3) Suspend, for a period not to exceed three years, the license of the person involved;

(4) Revoke the license of the person involved.] **admonish or censure a licensee, or suspend or revoke the license or enter into an agreement for a monetary or other penalty pursuant to section 374.280.**

3. In lieu of filing a complaint at the administrative hearing commission, the department and the bail bond agent or general bail bond agent may enter into an agreement for a monetary or other penalty pursuant to section 374.280.

4. In addition to any other remedies available, the department may issue a cease and desist order or may seek an injunction in a court of law pursuant to the provisions of section 374.046 whenever it appears that any person is acting as a bail bond agent or general bail bond agent without a license.

374.764. 1. The director shall examine and inquire into all violations of the bail bond law of the state, and inquire into and investigate the bail bond business transacted in this state by any bail bond agent, general

bail bond agent or surety recovery agent.

2. The director or any of his duly appointed agents may compel the attendance before him, and may examine, under oath, the directors, officers, bail bond agents, general bail bond agents, surety recovery agents, employees or any other person, in reference to the condition, affairs, management of the bail bond or surety recovery business or any matters relating thereto. He may administer oaths or affirmations and shall have power to summon and compel the attendance of witnesses and to require and compel the production of records, books, papers, contracts or other documents, if necessary.

3. The director may make and conduct the investigation in person, or he may appoint one or more persons to make and conduct the same for him. If made by a person other than the director, the person duly appointed by the director shall have the same powers as granted to the director pursuant to this section. A certificate of appointment, under the official seal of the director, shall be sufficient authority and evidence thereof for the person to act. For the purpose of making the investigations, or having the same made, the director may employ the necessary clerical, actuarial and other assistance.

374.782. 1. Sections 374.782 to 374.789 shall be known as "The Surety Recovery Agent Licensure Act".

2. As used in sections 374.782 to 374.789, the following terms mean:

(1) "Department", the department of insurance of the state of Missouri;

(2) "Fugitive recovery", the tracking down, recapturing and surrendering to the custody of a court a fugitive who has violated a bail bond agreement;

(3) "Surety recovery agent", a person not performing the duties of a sworn peace officer who tracks down, captures and surrenders to the custody of a court a fugitive who has violated a bail bond agreement, excluding a bail bond agent or general bail bond agent.

374.783. 1. No person shall hold himself or herself out as being a surety recovery agent in this state, unless such person is licensed in accordance with the provisions of sections 374.782 to 374.789.

2. The department shall have authority to license all surety recovery agents in this state. The department shall have control and supervision over the licensing of such agents and the enforcement of the terms and provisions of sections 374.782 to 374.789.

3. The department shall have power to:

(1) Set and determine the amount of the fees which sections 374.782 to 374.789 authorize and require. The fees shall be set at a level sufficient to produce revenue which shall not substantially exceed the cost and expense of administering sections 374.782 to 374.789; and

(2) Determine the sufficiency of the qualifications of applicants for licensure.

4. The department shall license all surety recovery agents in this state who meet the requirements of sections 374.782 to 374.789.

374.784. 1. A candidate for a surety recovery agent's license shall be at least twenty-one years of age. A candidate shall furnish evidence of such person's qualifications by completing an approved licensed surety recovery agent course with at least forty hours of minimum training at an institution of higher education or any institution approved by the department.

2. The basic course of training shall consist of at least forty hours of training, be taught by personnel with qualifications approved by the department and may include instruction in:

(1) The following areas of the law:

- (a) Constitutional law;
- (b) Procedures for arresting defendants and surrendering defendants into custody;
- (c) Civil liability;
- (d) The civil rights of persons who are detained in custody; and
- (e) The use of force;

(2) Procedures for field operations, including, without limitation:

- (a) Safety and survival techniques;
 - (b) Searching buildings;
 - (c) Handling persons who are mentally ill or under the influence of alcohol or a controlled substance; and
 - (d) The care and custody of prisoners;
- (3) The skills required regarding:
- (a) Writing reports, completing forms and procedures for exoneration;
 - (b) Methods of arrest;
 - (c) Nonlethal weapons;

- (d) The retention of weapons;
- (e) Qualifications for the use of firearms;
- (f) Defensive tactics; and
- (g) Principles of investigation, including, without limitation, the basic principles of locating defendants who have not complied with the terms and conditions established by a court for their release from custody or the terms and conditions of a contract entered into with a surety;

(4) The following subjects:

- (a) Demeanor in a courtroom;
- (b) First aid used in emergencies; and
- (c) Cardiopulmonary resuscitation.

3. No license shall be granted unless the candidate has proof of a one million dollar bond or liability policy insuring against any damages to persons or property caused by the candidate.

374.785. 1. The department shall issue a license to any surety recovery agent who is licensed in another jurisdiction and who has had no violations, suspensions or revocations of a license to engage in fugitive recovery in any jurisdiction, provided that such person is licensed in a jurisdiction whose requirements are substantially equal to, or greater than, the requirements for licensure of surety recovery agents in Missouri at the time the applicant applies for licensure, the applicant has proof of a one million dollar bond or liability policy and such general bail bond agent employs a surety recovery agent holding a valid Missouri surety recovery license.

2. For the purpose of surrender of the defendant, a surety may apprehend the defendant, anywhere within the state of Missouri, before or after the forfeiture of the undertaking without personal liability for false imprisonment or may empower any recovery agent to make apprehension by providing written authority endorsed on a certified copy of the undertaking and paying the lawful fees.

3. The surety or recovery agent shall inform the local law enforcement in the county or city where such agent is planning to enter a residence. Such agent shall have a certified copy of the bond and all appropriate paperwork to identify the principal. Local law enforcement, when notified, may accompany the surety or recovery agent to that location to keep the peace if an active warrant is effective for a felony or misdemeanor. If a warrant is not active, the local law enforcement officers may accompany the surety or recovery agent to such location. Failure to report to the local law enforcement agency is a class A misdemeanor. For any subsequent violations, failure to report to the local law enforcement agency is a class D felony.

4. Every applicant for a license pursuant to this section, upon making application and showing the necessary qualifications as provided in this section, shall be required to pay the same fee as the fee required to be paid by resident applicants. Within the limits provided in this section, the department may negotiate reciprocal compacts with licensing entities of other states for the admission of licensed surety recovery agents from Missouri in other states.

374.786. 1. Every person licensed pursuant to sections 374.782 to 374.789 shall, on or before the license renewal date, apply to the department for a licensure renewal for the ensuing licensing period. The application shall be made on a form furnished to the applicant and shall state the applicant's full name, the applicant's business address, the address at which the applicant resides, the date the applicant first received a license and the applicant's surety recovery agent identification number, if any.

2. A blank form for the application for licensure renewal shall be mailed to each person licensed in this state at the person's last known address. The failure to mail the form of application or the failure of a person to receive it does not, however, relieve any person of the duty to be licensed and to pay the license fee required nor exempt such person from the penalties provided for failure to be licensed.

3. Each applicant for licensure renewal shall accompany such application with a licensure renewal fee to be paid to the department for the licensing period for which licensure renewal is sought.

4. The department may refuse to issue or renew any license required pursuant to sections 374.782 to 374.789 for any one or any combination of causes stated in section 374.787. The department shall notify the applicant in writing of the reasons for refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

374.787. 1. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any surety recovery agent or any person who has failed to renew or has surrendered his or her license for any one or any combinations of the following causes:

(1) Violation of any provisions of, or any obligations imposed by, the laws of this state, department of insurance rules and regulations, or aiding or abetting other persons to violate such laws, orders, rules or

regulations;

- (2) Having been convicted of a felony or crime involving moral turpitude;
- (3) Using fraud, deception, misrepresentation or bribery in securing a license or in obtaining permission to take any examination required by sections 374.782 to 374.789;
- (4) Obtaining or attempting to obtain any compensation as a surety recovery agent by means of fraud, deception or misrepresentation;
- (5) Acting as a surety recovery agent or aiding or abetting another in acting as a surety recovery agent without a license;
- (6) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions of duties of a surety recovery agent;
- (7) Having revoked or suspended any license by another state.

2. After the filing of the complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that one or more of the causes stated in subsection 1 of this section have been met, the department may suspend or revoke the license or enter into an agreement for a monetary or other penalty pursuant to section 374.280.

3. In lieu of filing a complaint with the administrative hearing commission, the department and the surety recovery agent may enter into an agreement for a monetary or other penalty pursuant to section 374.280.

4. In addition to any other remedies available, the department may issue a cease and desist order or may seek an injunction in a court of law pursuant to section 374.046 whenever it appears that any person is acting as a surety recovery agent without a license.

374.788. A surety recovery agent having probable grounds to believe a subject, free on his or her bond, has failed to appear as directed by a court, has breached the terms of the subject's surety agreement or has taken a substantial step toward absconding, may utilize all lawful means to arrest the subject. To surrender a subject to a court, a licensed surety recovery agent, having probable grounds to believe the subject is free on their bond, may:

- (1) Detain a subject in a reasonable manner, for a reasonable time not to exceed seventy-two hours;
- (2) Transport a subject in a reasonable manner from state to state and county to county to a place of authorized surrender; and
- (3) Enter upon private or public property in a reasonable manner to execute an arrest of a subject.

374.789. 1. A person is guilty of a class D felony if he or she does not hold a valid surety recovery agent's license or a bail bondsman's license and commits any of the following acts:

- (1) Holds himself or herself out to be a licensed surety recovery agent within this state;
- (2) Claims that he or she can render surety recovery agent services; or
- (3) Engages in fugitive recovery in this state.

2. Any person who engages in fugitive recovery in this state and wrongfully causes damage to any person or property, including, but not limited to, trespass, unlawful arrest, unlawful detainment or assault, shall be liable for such damages and may be liable for punitive damages.

590.132. No person shall be commissioned or employed as a peace officer unless he is a resident of Missouri.

650.350. As used in sections 650.350 to 650.384, the following terms mean:

- (1) "Board", the board of private investigator examiners established in section 650.352;
- (2) "Client", any person who engages the services of a private investigator;
- (3) "Department", the department of public safety;
- (4) "Law enforcement officer", a law enforcement officer as defined in section 556.061, RSMo;
- (5) "Organization", a corporation, trust, estate, partnership, cooperative or association;
- (6) "Person", an individual or organization;
- (7) "Private investigator", any person who receives any consideration, either directly or indirectly, for engaging in the private investigator business;
- (8) "Private investigator agency", a person who regularly employs any other person, other than an organization, to engage in the private investigator business;
- (9) "Private investigator business", the furnishing of, making of, or agreeing to make, any investigation for the purpose of obtaining information with reference to:
 - (a) Crimes or wrongs done or threatened against the United States or any state or territory of the United States;

(b) The identity, habits, conduct, business, occupation, honesty, integrity, credibility, knowledge, trustworthiness, efficiency, loyalty, activity, movement, whereabouts, affiliations, associations, transactions, acts, reputation or character of any person or for service of process while carrying a firearm;

(c) The location, disposition or recovery of lost or stolen property;

(d) The cause or responsibility for fires, libels, losses, accidents or damage or injury to persons or to property; or

(e) Securing evidence to be used before any court, board, officer or investigating committee.

650.352. 1. The "Board of Private Investigator Examiners" is hereby created within the division of professional registration. The board shall be a body corporate and may sue and be sued.

2. The board shall be composed of six members appointed by the governor with the advice and consent of the senate. One member of the board shall be a licensed attorney, and one member shall be a public member. Each member of the board shall be a citizen of the United States, a resident of Missouri, at least thirty years of age and, except for the attorney and the public member appointed, shall have been actively engaged in the private investigator business for the previous five years. No more than one board member may be employed by, or affiliated with, the same private investigator agency. The initial board members shall not be required to be licensed but shall obtain a license within one hundred eighty days after appointment to the board.

3. The members shall be appointed for terms of four years, except those first appointed, in which case two members, who shall be private investigators, shall be appointed for terms of four years, two members shall be appointed for terms of three years and two members shall be appointed for a one-year term. Any vacancy on the board shall be filled for the unexpired term of the member and in the manner as the first appointment.

4. The members of the board shall receive no compensation for their services but shall be reimbursed for actual and necessary expenses incurred in performing their official duties on the board.

650.354. Unless expressly exempted from the provisions of sections 650.350 to 650.384:

(1) It shall be unlawful for any person to engage in the private investigator business in this state unless such person is licensed as a private investigator pursuant to sections 650.350 to 650.384;

(2) It shall be unlawful for any person to engage in business in this state as a private investigator agency unless such person is licensed pursuant to sections 650.350 to 650.384.

650.356. The following persons shall not be deemed to be engaging in the private investigator business:

(1) A person employed exclusively and regularly by one employer in connection only with the internal affairs of such employer and where there exists an employer-employee relationship;

(2) Any officer or employee of the United States, or of this state or a political subdivision thereof while engaged in the performance of the officer's or employee's official duties;

(3) A person engaged exclusively in the business of obtaining and furnishing information as to the financial rating of persons;

(4) An attorney performing duties as an attorney;

(5) A collection agency or its employee while acting within the scope of employment, while making an investigation incidental to the business of the agency, including an investigation of the location of a debtor or a debtor's property where the contract with an assignor creditor is for the collection of claims owed or due, or asserted to be owed or due, or the equivalent thereof;

(6) Insurers, agents and insurance brokers licensed by the state, performing duties in connection with insurance transacted by them;

(7) Any bank subject to the jurisdiction of the director of the division of finance of the state of Missouri or the comptroller of currency of the United States;

(8) An insurance adjuster; for the purposes of sections 650.350 to 650.384, an "insurance adjuster" means any person who receives any consideration, either directly or indirectly, for adjusting in the disposal of any claim under or in connection with a policy of insurance or engaging in soliciting insurance adjustment business;

(9) An unarmed process server only after having been specially appointed by a court and only when investigating for the purpose of identifying the location of a subject for service of process; or

(10) Any investigator employed by and under the supervision of a licensed attorney while acting within the scope of employment, or who does not represent himself to be a licensed private investigator.

650.358. 1. Every person desiring to be licensed in Missouri as a private investigator or private investigator agency shall make application therefor to the board of private investigator examiners. An application for a license pursuant to the provisions of sections 650.350 to 650.384 shall be on a form prescribed by the board of private investigator examiners and accompanied by the required application fee. An application

shall be verified and shall include:

- (1) The full name and business address of the applicant;
- (2) The name under which the applicant intends to do business;
- (3) A statement as to the general nature of the business in which the applicant intends to engage;
- (4) A statement as to the classification or classifications under which the applicant desires to be qualified;
- (5) Two recent photographs of the applicant, of a type prescribed by the board of private investigator examiners, and two classifiable sets of the applicant's fingerprints;
- (6) A verified statement of the applicant's experience qualifications; and
- (7) Such other information, evidence, statements or documents as may be required by the board of private investigator examiners.

2. Before an application for a license may be granted, the applicant shall:

- (1) Be at least twenty-one years of age;
- (2) Be a citizen of the United States;
- (3) Not have a felony conviction or misdemeanor involving theft or drugs;
- (4) Provide proof of insurance with amount to be no less than one million in coverage for liability and proof of workers' compensation insurance as required in chapter 287, RSMo. The board shall have the authority to raise the requirements as deemed necessary; and
- (5) Comply with such other qualifications as the board adopts by rules and regulations.

650.360. 1. The board of private investigator examiners may require as a condition of licensure as a private investigator that the applicant:

- (1) Successfully complete a course of training conducted by a trainer certified pursuant to section 650.382;
- (2) Pass a written examination as evidence of knowledge of investigator business; and
- (3) Submit to an oral interview with the board.

2. The board shall conduct a complete investigation of the background of each applicant for licensure as a private investigator to determine whether the applicant is qualified for licensure pursuant to sections 650.350 to 650.384. The board will outline basic qualification requirements for licensing as a private investigator and agency. The board will waive testing requirements and issue a license to existing persons and agencies who make application by January 1, 2002, and meet the requirements of subsection 3 of this section.

3. In the event requirements have been met so that testing has been waived, qualification is dependent on a showing of for the two previous years:

- (1) Verifiable levels of revenue;
- (2) Registration and good standing as a business in the state of Missouri; and
- (3) One quarter million dollars in business general liability insurance.

4. The board may review applicants seeking reciprocity. An applicant seeking reciprocity shall have undergone a licensing procedure substantially the same as or stricter than that required by this state and shall meet this state's minimum insurance requirements.

650.362. The board of private investigator examiners may deny a request for a license if the applicant has:

- (1) Committed any act which, if committed by a licensee, would be grounds for the suspension or revocation of a license pursuant to the provisions of sections 650.350 to 650.384;
- (2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;
- (3) Been refused a license pursuant to the provisions of sections 650.350 to 650.384 or had a license revoked in this state or in any other state;
- (4) While unlicensed, committed or aided and abetted the commission of any act for which a license is required by sections 650.350 to 650.384; or
- (5) Knowingly made any false statement in the application.

650.364. 1. Every application submitted pursuant to the provisions of sections 650.350 to 650.384 shall be accompanied by a fee as determined by the board as follows:

- (1) For an individual license, agency license and employees being licensed to work under an agency license; or
- (2) If a license is issued for a period of less than two years, the fee shall be prorated for the months, or

fraction thereof, for which the license is issued.

2. A private investigator license shall allow only the individual licensed by the state to conduct investigations. An agency license shall be applied for separately and held by an individual who is licensed as a private investigator. The agency may hire individuals to work for the agency conducting investigations for the agency only. Persons hired shall make application as determined by the board and meet all requirements set forth by the board except that they shall not be required to meet any experience requirements and shall be allowed to begin working immediately upon the agency submitting their applications. Employees shall attend a certified training program within a time frame to be determined by the board.

650.365. 1. All fees required pursuant to sections 650.350 to 650.384 shall be paid to and collected by the division of professional registration and transmitted to the department of revenue for deposit in the state treasury to the credit of the "Board of Private Investigator Examiners Fund", which is hereby created.

2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, money in the fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds three times the amount of the appropriation to the board for the preceding fiscal year. The amount, if any, in the fund that shall lapse is the amount in the fund that exceeds the appropriate multiple of the appropriations to the board for the preceding fiscal year.

3. The board shall set fees, as authorized by sections 650.350 to 650.384 at a level to produce revenue which will not substantially exceed the cost and expense of administering sections 650.350 to 650.384.

4. The fees prescribed by sections 650.350 to 650.384 shall be exclusive and notwithstanding any other provision of law, no municipality may require any person licensed pursuant to sections 650.350 to 650.384 to furnish any bond, pass any examination or pay any license fee or occupations tax relative to practicing the person's profession.

650.366. 1. The board of private investigator examiners shall determine the form of the license which shall include the:

- (1) Name of the licensee;
- (2) Name under which the licensee is to operate; and
- (3) Number and date of the license.

2. The license shall be posted at all times in a conspicuous place in the principal place of business of the licensee. Upon the issuance of a license, a pocket card of such size, design and content as determined by the board shall be issued to each licensee. Such card shall be evidence that the licensee is licensed pursuant to the provisions of sections 650.350 to 650.384. When any person to whom a card is issued terminates such person's position, office or association with the licensee, the card shall be surrendered to the licensee and, within five days thereafter, shall be mailed or delivered by the licensee to the board of private investigator examiners for cancellation. Within thirty days after any change of address, a licensee shall notify the board thereof. The principal place of business may be at a residence or at a business address, but it shall be the place at which the licensee maintains a permanent office.

650.368. 1. Any license issued pursuant to sections 650.350 to 650.384 shall expire two years after the date of its issuance. Renewal of any such license shall be made in the manner prescribed for obtaining an original license, including payment of the appropriate fee, except that:

(1) The application upon renewal need only provide information required of original applicants if the information shown on the original application or any renewal thereof on file with the board is no longer accurate;

(2) A new photograph shall be submitted with the application for renewal only if the photograph on file with the board has been on file more than two years; and

(3) Additional information may be required by rules and regulations adopted by the board of private investigator examiners.

2. A licensee shall at all times be legally responsible for the good conduct of each of the licensee's employees or agents while engaged in the business of the licensee, and the licensee is legally responsible for any acts committed by such licensee's employees or agents which are in violation of sections 650.350 to 650.384. A person receiving an agency license shall directly manage the agency and employees.

3. A license issued pursuant to the provisions of sections 650.350 to 650.384 shall not be assignable.

650.370. 1. Any licensee may divulge to the board, any law enforcement officer or prosecuting attorney, or such person's representative, any information such person may acquire as to any criminal offense, or instruct his or her client to do so if the client is the victim but such person shall not divulge to any other person, except

as he or she may be required by law to do, any information acquired by such person at the direction of the employer or client for whom the information was obtained.

2. No licensee or officer, director, partner, associate or employee thereof shall:

(1) Knowingly make any false report to his or her employer or client for whom information was being obtained;

(2) Cause any written report to be submitted to a client except by the licensee, and the person submitting the report shall exercise diligence in ascertaining whether or not the facts and information in such report are true and correct;

(3) Use a title, wear a uniform, use an insignia or an identification card or make any statement with the intent to give an impression that such person is connected in any way with the federal government, a state government or any political subdivision of a state government;

(4) Appear as an assignee party in any proceeding involving claim and delivery, replevin or other possessory action, action to foreclose a chattel mortgage, mechanic's lien, materialman's lien or any other lien; or

(5) Manufacture false evidence.

650.372. Each licensee shall maintain a record containing such information relative to the licensee's employees as may be prescribed by the board of private investigator examiners. Such licensee shall file with the board the complete address of the licensee's principal place of business including the name and number of the street. The board may require the filing of other information for the purpose of identifying such principal place of business.

650.374. Every advertisement by a licensee soliciting or advertising business shall contain the licensee's name and an address as they appear in the records of the board of private investigator examiners. A licensee shall not advertise or conduct business from any Missouri address other than that shown on the records of the board as the licensee's principal place of business unless the licensee has received a branch office certificate for such location after compliance with the provisions of sections 650.350 to 650.384 and such additional requirements necessary for the protection of the public as the board may prescribe by regulation. A licensee shall notify the board in writing within ten days after closing or changing the location of a branch office.

650.376. 1. The board of private investigator examiners may deny a request for a license, or may suspend or revoke a license issued pursuant to sections 650.350 to 650.384 or censure or place a licensee on probation if, after notice and opportunity for hearing in accordance with the provisions of chapter 621, RSMo, the board determines that the licensee has:

(1) Made any false statement or given any false information in connection with an application for a license or a renewal or reinstatement thereof;

(2) Violated any provision of sections 650.350 to 650.384;

(3) Violated any rule of the board of private investigator examiners adopted pursuant to the authority contained in sections 650.350 to 650.384;

(4) Has been convicted of a felony or misdemeanor involving theft or drugs;

(5) Impersonated, or permitted or aided and abetted an employee to impersonate, a law enforcement officer or employee of the United States of America, or of any state or political subdivision thereof;

(6) Committed or permitted any employee to commit any act, while the license was expired, which would be cause for the suspension or revocation of a license, or grounds for the denial of an application for a license;

(7) Knowingly violated, or advised, encouraged or assisted the violation of, any court order or injunction in the course of business as a licensee;

(8) Used any letterhead, advertisement or other printed matter, or in any manner whatever represented that such person is an instrumentality of the federal government, a state or any political subdivision thereof;

(9) Used a name different from that under which such person is currently licensed in any advertisement, solicitation or contract for business; or

(10) Committed any act which is grounds for denial of an application for a license pursuant to the provisions of section 620.1818.

2. After the filing of a complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 1 of this section, for disciplinary action are met, the board may singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend,

for a period not to exceed three years, or revoke the license.

3. The record of conviction, or a certified copy thereof, shall be conclusive evidence of such conviction, and a plea or verdict of guilty is deemed to be a conviction within the meaning thereof.

4. The agency may continue under the direction of another employee if the individual holding the license is suspended or revoked as approved by the board. The board shall establish a time frame in which the agency shall identify an acceptable person who is qualified to assume control of the agency, as required by the board.

650.378. 1. Each private investigator or investigator agency operating pursuant to the provisions of sections 650.350 to 650.384 shall be required to keep a complete record of the business transactions of such investigator or investigator agency and upon the order of the board shall give free and full opportunity to inspect the same and to inspect reports made; but any information obtained by the board shall be kept confidential, except as may be necessary to commence and prosecute any legal proceedings. The board shall not personally enter a licensee's place of business to inspect records, but shall appoint another state agency to act as gatherers of information and facts to present to the board regarding any complaint or inspection they are looking into. The board may hire a private agency as long as the agency is conducting an audit and is not an investigative agency or affiliated in any way with a company that provides investigative services.

2. For the purpose of enforcing the provisions of sections 650.350 to 650.384, and in making investigations relating to any violation thereof or to the character, competency and integrity of the applicants or licensees hereunder, and for the purpose of investigating the business, business practices and business methods of any applicant or licensee, or of the officers, directors, partners or associates thereof, the board shall have the power to subpoena and bring before the board any person in this state and require the production of any books, records or papers which the board deems relevant to the inquiry. The board also may administer an oath to and take the testimony of any person, or cause such person's deposition to be taken, except that any applicant or licensee or officer, director, partner or associate thereof shall not be entitled to any fees or mileage. A subpoena issued pursuant to this section shall be governed by the rules of civil procedure. Any person duly subpoenaed, who fails to obey such subpoena without reasonable cause or without such cause refuses to be examined or to answer any legal or pertinent question as to the character or qualification of such applicant or licensee or such applicant's or licensee's business, business practices and methods or such violations, shall be guilty of a class A misdemeanor. The testimony of witnesses in any investigative proceeding shall be under oath, and willful false swearing in any such proceeding shall be perjury.

650.380. 1. The board shall adopt such rules and regulations as may be necessary to carry out the provisions of sections 650.350 to 650.384.

2. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in section 650.350 to 650.384 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

3. The department of public safety shall establish guidelines to permit a private investigator to carry a concealed firearm, not to be greater than the firearm training imposed on a P.O.S.T. commissioned officer of a county of the first classification. Any private investigator holding a valid firearm permit issued by any city not within a county or any city with a population of at least four hundred thousand inhabitants will be exempt from the requirements of this subsection.

650.382. 1. The board of private investigator examiners shall certify persons who are qualified to train private investigators.

2. In order to be certified as a trainer pursuant to this section, a trainer shall:

- (1) Be twenty-one or more years of age;
- (2) Have a minimum of one-year supervisory experience with a private investigator agency; and
- (3) Be personally licensed and qualified to train private investigators.

3. Persons wishing to become certified trainers shall make application to the board of private investigator examiners on a form prescribed by the board and accompanied by a fee determined by the board. The application shall contain a statement of the plan of operation of the training offered by the applicant and the materials and aids to be used and any other information required by the board.

4. A certificate shall be granted to a trainer if the board finds that the applicant:

(1) Meets the requirements of subsection 2 of this section;
(2) Has no felony convictions or misdemeanor involving theft or drugs or currently charged with either;
(3) Has sufficient knowledge of private investigator business to be a suitable person to train private investigators;

(4) Has supplied all required information to the board; and

(5) Has paid the required fee.

5. The certificate issued pursuant to this section shall expire on the second year after the year in which it is issued and shall be renewable biennially upon application and payment of a fee.

650.384. Any person who knowingly falsifies the fingerprints or photographs or other information required to be submitted pursuant to sections 650.350 to 650.384 is guilty of a class D felony; and any person who violates any of the other provisions of sections 650.350 to 650.384 is guilty of a class A misdemeanor.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Parker, **House Amendment No. 44** was adopted.

Representative Richardson offered **House Amendment No. 45**.

House Amendment No. 45

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 44, Section 621.198, Line 4, by inserting after said line the following:

“The office shall notify the local prosecutor of any owner’s, employee’s, agents, or affiliates of a long-term care facility who pays any portion of funds received from the State of Missouri to any person as a reward, incentive, or bribe for influencing an elderly or disabled person to reside at a particular facility”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 45** was adopted.

HCS SS SCS SBs 678 & 742, as amended, was laid over.

COMMITTEE REPORTS

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **SB 771**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Miscellaneous Bills and Resolutions, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SCS SCR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Public Safety and Law Enforcement, Chairman Kissell reporting:

Mr. Speaker: Your Committee on Public Safety and Law Enforcement, to which was referred **SCS SB 756**, begs leave to report it has examined the same and recommends that the **House**

Committee Substitute Do Pass.

Committee on State Parks, Natural Resources and Mining, Chairman McBride reporting:

Mr. Speaker: Your Committee on State Parks, Natural Resources and Mining, to which was referred **SCR 42**, begs leave to report it has examined the same and recommends that it **Do Pass**.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HS HB 1238: Representatives Hoppe, Rizzo, Smith, Lograsso and Berkstresser

HCS SB 922: Representatives Hagan-Harrell, Crump, Skaggs, Elliott and Griesheimer

HS HCS SS SB 902: Representatives Treadway, O'Toole, Foley, Dolan and Boatright

SS HS HCS HB 1797: Representatives Gratz, Kreider, Graham (24), Nordwald and Tudor

HCS SS SS #3 SJR 35: Representatives Graham (24), Backer, Monaco, Naeger and Summers

SS SCS HS HCS HBs 1566 & 1810: Representatives Bray, Van Zandt, Riback Wilson (25), Gibbons and Hegeman

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS HCS SB 856: Representatives Harlan, Foley, Wilson (42), Reinhart and Shields

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1292**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the House on Senate Committee Substitute for House Bill No. 1292 with Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 6, Senate Substitute Amendment No. 1 for Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment 1 to Senate Amendment 15 and Senate Amendment 15 as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the

respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1292, with Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 6, Senate Substitute Amendment No. 1 for Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment 1 to Senate Amendment 15 and Senate Amendment 15 as amended;
2. That the House recede from its position on House Bill No. 1292;
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ Ron Auer
/s/ Russell Gunn
/s/ Christopher Liese
/s/ Chuck Surface
/s/ Mark Elliott

FOR THE SENATE:

/s/ Ken Jacob
/s/ Lacy Clay
/s/ Paula Carter
/s/ Walt Mueller
/s/ Betty Sims

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 813**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Committee Substitute for Senate Substitute for Senate Bill No. 813, with House Amendment Nos. 1, 3, 4, 5, 6, 7, House Substitute Amendment No. 2 for House Amendment No. 8, House Amendment No. 9, House Amendment No. 1 to House Amendment No. 10 and House Amendment No. 10, as amended, House Amendment Nos. 11, 12 and 13; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 813, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 831;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Bill No. 813 be adopted.

FOR THE HOUSE:

/s/ Don Kissell

FOR THE SENATE:

/s/ Ted House

/s/ Phillip Britt
/s/ Steve McLuckie
/s/ Jon Dolan

/s/ William Clay
/s/ Stephen Stoll
/s/ Sarah Steelman
/s/ David Klarich

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 741**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Committee Substitute for Senate Bill No. 741, with House Amendments Nos. 1, 2, 3, 4 and 5; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Amendment No. 5 to House Committee Substitute for Senate Bill No. 741;
2. That the Senate recede from its position on House Committee Substitute for Senate Bill No. 741, with House Amendments Nos. 1, 2, 3, and 4; and
3. That House Committee Substitute for Senate Bill No. 741, with House Amendments Nos. 1, 2, 3 and 4, be adopted.

FOR THE HOUSE:

/s/ Gracia Backer
/s/ Gary Wiggins
/s/ Randall Relford
/s/ Kenneth Legan
/s/ Beth Long

FOR THE SENATE:

/s/ Joe Maxwell
/s/ Ed Quick
/s/ Wayne Goode
/s/ Franc Flotron
/s/ Anita Yeckel

**CONFERENCE COMMITTEE REPORT
ON
SENATE JOINT RESOLUTION NO. 50**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the

Senate, on Senate Joint Resolution No. 50, with House Amendment No. 2; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Amendment No. 2 to Senate Joint Resolution No. 50; and
2. That Senate Joint Resolution No. 50 be adopted.

FOR THE HOUSE:

/s/ May Scheve
/s/ Jim Foley
/s/ James O'Toole
/s/ Chuck Surface
/s/ John Griesheimer

FOR THE SENATE:

/s/ Steve Stoll
/s/ Ken Jacob
/s/ Walt Mueller
/s/ Joe Maxwell
/s/ Roseann Bentley

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
SENATE BILL NO. 1053**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Substitute for Senate Bill No. 1053, with House Amendment No. 1, House Amendments Nos. 1 and 2 to Part II, and House Amendment No. 1 to Part III; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Bill No. 1053, as amended;
2. That the Senate recede from its position on Senate Bill No. 1053;
3. That the attached Conference Committee Substitute for House Substitute for Senate Bill No. 1053 be adopted.

FOR THE HOUSE:

/s/ Rita Days
/s/ Gracia Backer
/s/ Russell Gunn
/s/ Carson Ross
/s/ Bill Tudor

FOR THE SENATE:

/s/ Wayne Goode
/s/ William Clay
/s/ Harry Wiggins
/s/ Roseann Bentley
/s/ Franc Flotron

LETTER OF RESIGNATION

May 11, 2000

The Honorable Steve Gaw
Speaker
Missouri House of Representatives
Room 308, State Capitol Building
Jefferson City, MO 65101

Dear Speaker Gaw:

I officially resign as State Representative of the 9th Legislative District on May 11, 2000, at 4:18 P.M. I have been confirmed by the State Senate to become a member of the Missouri Tax Commission.

Respectfully,

/s/ Sam Leake

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m, Friday, May 12, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventieth Day, Wednesday, May 10, 2000, pages 1579 and 1580, roll call, by showing Representative Gambaro voting "aye" rather than "absent with leave".

Pages 1579 and 1580, roll call, by showing Representatives Bartle, Levin and Purgason voting "no" rather than "absent with leave".

Page 1581, roll call, by showing Representatives Gambaro, Klindt, Levin and Parker voting "aye" rather than "absent with leave".

Pages 1581 and 1582, roll call, by showing Representatives Barry, Champion, Chrismer, Gambaro, Levin, Miller, Parker and Reynolds voting "aye" rather than "absent with leave".

Pages 1583 and 1584, roll call, by showing Representatives Hosmer and Patek voting "no" rather than "absent with leave".

Pages 1584 and 1585, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1585 and 1586, roll call, by showing Representative Smith voting "aye" rather than "absent with leave".

Page 1586, roll call, by showing Representative Smith voting "aye" rather than "absent with leave".

Page 1588, roll call, by showing Representatives Boatright, Kissell and Patek voting "aye" rather than "absent with leave".

Page 1589, roll call, by showing Representative Kissell voting "aye" rather than "absent with leave".

Pages 1606 and 1607, roll call, by showing Representative Lawson voting "aye" rather than "absent with leave".

Page 1608, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Pages 1613 and 1614, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Pages 1613 and 1614, roll call, by showing Representative Boykins voting "no" rather than "absent with leave".

Pages 1615 and 1616, roll call, by showing Representatives Boykins and Days voting "aye" rather than "absent with leave".

Page 1616, roll call, by showing Representatives Hosmer, Kelly (27), Levin, Reinhart and Ross voting "aye" rather than "absent with leave".

Pages 1619 and 1620, roll call, by showing Representatives Berkstresser, Levin, Murray, Secrest, Tudor and Riback Wilson (25) voting "aye" rather than "absent with leave".

Pages 1620 and 1621, roll call, by showing Representative Riback Wilson (25) voting "aye" rather than "absent with leave".

Page 1621, roll call, by showing Representatives Berkstresser, Kelly (27), Levin, Naeger, Reinhart, Summers, Surface and Riback Wilson (25) voting "aye" rather than "absent with leave".

Page 1626, roll call, by showing Representative Champion voting "no" rather than "absent with leave".

Pages 1636 and 1637, roll call, by showing Representatives Gaskill, Sallee and Townley voting "aye" rather than "absent with leave".

Pages 1637 and 1638, roll call, by showing Representatives Bartle, Hollingsworth and Secrest voting "aye" rather than "absent with leave".

Pages 1647 and 1648, roll call, by showing Representatives Berkstresser and Hickey voting "aye" rather than "absent with leave".

Pages 1647 and 1648, roll call, by showing Representatives King and Long voting "no" rather than "absent with leave".

Pages 1660 and 1661, roll call, by showing Representative Fraser voting "aye" rather than "no".

Pages 1660 and 1661, roll call, by showing Representatives Berkstresser and George voting "aye" rather than "absent with leave".

Pages 1660 and 1661, roll call, by showing Representative Days voting "no" rather than "absent with leave".

Pages 1667 and 1668, roll call, by showing Representatives Lawson, Long, Purgason and Wright voting "aye" rather than "absent with leave".

Pages 1669 and 1670, roll call, by showing Representative Long voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, May 11, 2000, 8:30 am. Hearing Room 1.

Assignment of Oversight's Interim Work.

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, May 11, 2000. Room 309 upon morning adjournment.

To be considered - SCR 41

RETIREMENT

Friday, May 12, 2000, 9:00 am. Side gallery.

To be considered - HCR 37

STATE PARKS, NATURAL RESOURCES & MINING

Thursday, May 11, 2000. Side gallery upon noon adjournment.

Executive Session.

To be considered - SCR 42

HOUSE CALENDAR

SEVENTY-SECOND DAY, FRIDAY, MAY 12, 2000

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 45, HCA 1 - Scheve
- 3 HJR 51 - Clayton

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 - Barry
- 2 HB 2102 - Hampton
- 3 HB 1066, HCA 1 - Riback Wilson (25)
- 4 HB 1280 - Clayton
- 5 HB 1502 - Smith
- 6 HCS HB 1547 - Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 8 HB 1546 - Smith
- 9 HCS HB 1606 - Bray
- 10 HCS HB 1225 - Hosmer
- 11 HCS HB 1540 - Green
- 12 HCS HB 1942 - Liese
- 13 HCS HB 1578 - Shelton
- 14 HB 2056 - Gunn
- 15 HCS HB 1718 - Smith
- 16 HCS HB 1966 - Hosmer
- 17 HCS HB 1997 - Smith
- 18 HCS HB 1336 - Lakin
- 19 HCS HB 1780 - Liese
- 20 HCS HB 1816 - Hosmer
- 21 HCS HB 1357 - Bonner
- 22 HB 1872 - Seigfreid
- 23 HCS HB 1674 - Graham (24)
- 24 HCS HB 1154 - Boucher
- 25 HCS HB 2114 - Hoppe
- 26 HCS HB 1649 - Williams (121)
- 27 HB 1216 - Kelly (27)
- 28 HB 1157, HCA 1 - Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1602, as amended - Leake
- 2 HB 1712 - McKenna
- 3 HS HB 1394, as amended - Murray

HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING

HCR 31, (5-1-00, pg. 1158) - Hollingsworth

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson

- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCS SCR 41, (3-6-00, pg. 482) - O'Toole
- 2 SCR 22, (4-19-00, pg. 1006) - Koller
- 3 SCR 27, (3-7-00, pg. 491)
- 4 SCR 44, (5-3-00, pg. 1275) - O'Toole
- 5 SCR 21, (3-6-00, pg. 482) - Shelton
- 6 SCR 25, (2-23-00, pg. 379) - Rizzo

- 7 SCR 26, (5-9-00, pg. 1548) - Dougherty
- 8 SCR 42, (5-9-00, pg. 1550) - McBride
- 9 SCR 36, (4-18-00, pg. 991) - Riback Wilson (25)

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 678 & 742, as amended - May (108)
- 2 HCS SS#2 SCS SB 757 & 602, (Fiscal Review, 5-4-00) - Scheve
- 3 SCS SB 540 - Wiggins
- 4 HCS SS SCS SB 925, E.C. - Williams (159)
- 5 HCS SB 996 - Hosmer
- 6 HCS SCS SB 842, E.C., (Fiscal Review, 5-4-00) - Hoppe
- 7 HCS SB 921 - Treadway
- 8 SB 892, (Fiscal Review, 5-4-00) - Crump
- 9 HCS SCS SB 683, (Fiscal Review, 5-5-00) - Koller
- 10 HCS SS SCS SB 885, (Fiscal Review, 5-5-00) - Smith
- 11 HCS SB 573, E.C., (Fiscal Review, 5-5-00) - Kissell
- 12 HCS SB 974, (Fiscal Review, 5-5-00) - Lakin
- 13 HCS SCS SB 806 & SB 537, E.C., (Fiscal Review, 5-5-00) - Britt
- 14 HCS SB 851 - Kreider
- 15 HCS SCS SB 597, (Fiscal Review, 5-5-00) - Dougherty
- 16 HCS SB 722 - Smith
- 17 SB 910 - Abel
- 18 HCS SS SCS SB 926, E.C., (Fiscal Review, 5-8-00) - Scheve
- 19 SCS SB 685 - Curls
- 20 HCS SCS SB 756

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 SCS SB 779 - Wiggins
- 2 HCS SB 936, HS, as amended, E.C. - Bray

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1386 & 1086, as amended - Britt
- 2 SCS HS HCS HB 1076, as amended, E.C. - Relford

BILLS IN CONFERENCE

- 1 HS HCS SS SB 549, as amended - Van Zandt
- 2 CCR HS HCS SB 788, as amended - Barry
- 3 HS HCS SB 896, as amended, E.C. - May (108)
- 4 HS HCS SB 858 - Smith
- 5 CCR HCS SB 741, as amended - Backer
- 6 CCR SCS HB 1292, as amended - Auer
- 7 CCR#2 HCS SS SB 813, as amended - Kissell
- 8 CCR SJR 50, as amended - Scheve
- 9 CCR HS SB 1053, as amended - Days
- 10 HCS SS SCS SB 763, as amended - Kissell
- 11 SCS HS HB 1238, as amended, E.C. - Hoppe
- 12 HCS HB 1967, SA 1 to SCA 1, SCA 1, as amended & SA 1, E.C. - Hoppe
- 13 HCS SS SS#3 SJR 35, as amended - Graham (24)
- 14 HS HCS SS SB 902, as amended - Treadway
- 15 HCS SB 922, as amended - Hagan-Harrell
- 16 SS HS HCS HB 1797, as amended - Gratz
- 17 SS SCS HS HCS HB 1566 & 1810, as amended, E.C. - Bray
- 18 HS HCS SB 856, as amended - Harlan

HOUSE RESOLUTIONS

- 1 HR 557, (5-1-00, pg. 1160) - Gratz
- 2 HR 504, (5-1-00, pg. 1159) - Gratz
- 3 HR 295, (5-3-00, pg. 1265) - Scheve

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SEVENTY-SECOND DAY, FRIDAY, MAY 12, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Almighty One of the Beginnings, powerful One of the Endings, we stand for a moment of silence in Your presence. These halls resound with the taste of gentility and sometimes endure the smell of legislative Armageddon. For just this one moment let us catch our breath before the last gasps of this legislative session.

Today brings victory for some, defeat for others. How we react to either and both may be determined by our inhaling now Your presence, and deciding again for human decency and the processes of honorable change. We began this session in Your company; we prepare to end it also with You, O Alpha and Omega, in our personal heart-space and in this vast Chamber. For this moment we are one with You. Amen.

Prayer by Representative Terry Riley.

Lord Jesus Christ, You are the way of peace. Come into the brokenness of our lives and our land with Your healing love. Help us to bow before You in true repentance, and to bow to one another in true repentance.

By the fire of Your Holy Spirit, melt our hard hearts and consume the pride and prejudice which separate us. Fill us, O Lord, with Your perfect love, which casts our fear, and bind us together in that unity which You share with the Father and the Holy Spirit forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Megan Gross, Madelynn Gross, Chrissy Manuszak, Madalina Gabriella Matteucci, Florina Natalia Matteucci, Daniel David Matteucci, Cullan Brian May, Allison Elizabeth May, Brendan Michael May, Torie Murray, Madison Murray, Amanda Murray and Lori L. Robinett.

Representative Crump moved that Rule 2 be suspended for this day, May 12, 2000, until 12:00 p.m., to allow the printing of the House Journal to be completed, at which time the motion for approval of the Journal will be made.

Which motion was adopted by the following vote:

AYES: 144

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer

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Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hickey
Hohulin	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McClelland	McKenna	McLuckie
Merideth	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reinhart	Relford	Richardson
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Skaggs	Smith	Summers
Thompson	Townley	Treadway	Troupe	Tudor
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wright	Mr. Speaker	

NOES: 001

Murphy

PRESENT: 001

Reid

ABSENT WITH LEAVE: 015

Burton	Hendrickson	Hilgemann	Holand	Lograsso
McBride	Miller	Reynolds	Ridgeway	Sallee
Shelton	Stokan	Surface	Van Zandt	Wilson 42

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1695	-	Representative Hartzler (123)
House Resolution No. 1696	-	Representative Naeger
House Resolution No. 1697	-	Representative Townley
House Resolution No. 1698	-	Representative Ross, et al
House Resolution No. 1699		
and		
House Resolution No. 1700	-	Representative Klindt
House Resolution No. 1701		
through		
House Resolution No. 1703	-	Representative Fitzwater
House Resolution No. 1704	-	Representative Bartelsmeyer, et al
House Resolution No. 1705	-	Representative Wagner
House Resolution No. 1706	-	Representative Seigfreid
House Resolution No. 1707		
through		
House Resolution No. 1709	-	Representative Howerton

House Resolution No. 1710 - Representative Schwab
House Resolution No. 1711 - Representative Loudon
House Resolution No. 1712
through
House Resolution No. 1715 - Representative Griesheimer
House Resolution No. 1716 - Representative Boatright
House Resolution No. 1717
through
House Resolution No. 1722 - Representative Crawford
House Resolution No. 1723 - Representative McClelland
House Resolution No. 1724 - Representatives Thompson, Days and Brooks, et al
House Resolution No. 1725 - Representatives Ostmann and Luetkenhaus
House Resolution No. 1726 - Representative Treadway
House Resolution No. 1727
and
House Resolution No. 1728 - Representative Scott
House Resolution No. 1729 - Representative Ransdall
House Resolution No. 1730
through
House Resolution No. 1737 - Representative Scott
House Resolution No. 1738 - Representative Summers
House Resolution No. 1739 - Representative Sallee
House Resolution No. 1740 - Representative Vogel
House Resolution No. 1741 - Representative Patek
House Resolution No. 1742 - Representative Boucher, et al
House Resolution No. 1743 - Representative Boucher
House Resolution No. 1744
through
House Resolution No. 1749 - Representative Riback Wilson (25)
House Resolution No. 1750
and
House Resolution No. 1751 - Representative Legan
House Resolution No. 1752
through
House Resolution No. 1754 - Representative Kelley (47)
House Resolution No. 1755
and
House Resolution No. 1756 - Representative Ransdall

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 573 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 597 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 683 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS#2 SCS SBs 757 & 602 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SBs 806 & 537 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 842 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 885 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SB 892 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 926 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 974 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HS HCS HB 1076, relating to reading ability and promotion, was placed on the Informal Calendar.

SCS HCS HBs 1386 & 1086, as amended, relating to financial exploitation, was taken up by Representative Britt.

Representative Britt moved that the House refuse to adopt **SCS HCS HBs 1386 & 1086, as amended**, and request the Senate to recede from its position and take up and pass the bill, or, failing to do so, grant the House a conference.

Which motion was adopted.

BILL IN CONFERENCE

CCR HS HCS SB 788, as amended, relating to employee rights, was taken up by Representative Barry.

On motion of Representative Barry, **CCR HS HCS SB 788, as amended**, was adopted by the following vote:

AYES: 146

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Legan	Levin	Liese	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Secrest
Seigfreid	Selby	Shields	Skaggs	Smith
Summers	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 001

Reid

ABSENT WITH LEAVE: 014

Burton	Dougherty	Elliott	Holand	Linton
Lograsso	McBride	Miller	Murphy	Scott
Shelton	Stokan	Surface	Williams 121	

VACANCIES: 002

On motion of Representative Barry, **CCS HS HCS SB 788** was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle

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Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Legan	Levin	Liese
Linton	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McClelland	McKenna
McLuckie	Merideth	Monaco	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 009

Burton	Elliott	Holand	Lograsso	McBride
Miller	Robirds	Shelton	Stokan	

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Selby moved that the vote by which the bill passed be reconsidered.

Representative Riley moved that motion lay on the table.

The latter motion prevailed.

MOTION

Representative Foley moved that Rule 26 be suspended to allow House conferees to meet while the House is in session on May 12, 2000.

Which motion was adopted by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McClelland	McKenna	McLuckie	Merideth
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 010

Ballard	Burton	Elliott	Hagan-Harrell	Holand
Lograsso	McBride	Miller	Shelton	Stokan

VACANCIES: 002

BILLS IN CONFERENCE

CCR HCS SB 741, as amended, relating to water pollution control, was taken up by Representative Backer.

On motion of Representative Backer, **CCR HCS SB 741, as amended**, was adopted by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Bonner	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster

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Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Berkstresser	Boucher 48	Burton	Elliott	Hohulin
Holand	Kasten	Lograsso	Miller	Stokan

VACANCIES: 002

On motion of Representative Backer, **HCS SB 741, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab

Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Burton	Elliott	Lograsso	Miller	Stokan
Williams 121				

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Williams (159), title to the bill was agreed to.

Representative Kennedy moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

Representative Scheve assumed the Chair.

Speaker Pro Tem Kreider assumed the Chair.

CCR SCS HB 1292, as amended, relating to health insurance, was taken up by Representative Auer.

On motion of Representative Auer, **CCR SCS HB 1292, as amended**, was adopted by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Liese
Linton	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland

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McKenna	Merideth	Monaco	Murray	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wright	Mr. Speaker

NOES: 005

Kelly 27	Levin	McLuckie	Murphy	Schilling
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PRESENT: 000

ABSENT WITH LEAVE: 006

Burton	Lograsso	Miller	O'Connor	Stokan
Wilson 42				

VACANCIES: 002

On motion of Representative Auer, **CCS SCS HB 1292** was read the third time and passed by the following vote:

AYES: 153

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 004

Kelly 27	McLuckie	Murphy	Schilling
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PRESENT: 000

ABSENT WITH LEAVE: 004

Burton Lograsso Miller Stokan

VACANCIES: 002

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Backer moved that the vote by which the bill passed be reconsidered.

Representative Hagan-Harrell moved that motion lay on the table.

The latter motion prevailed.

CCR HS SB 1053, as amended, relating to profiling, was taken up by Representative Days.

On motion of Representative Days, **CCR HS SB 1053, as amended**, was adopted by the following vote:

AYES: 130

Abel	Auer	Backer	Barnett	Barry 100
Bartle	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hegeman	Hendrickson
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Kasten	Kelley 47	Kelly 27	Kennedy	King
Klindt	Koller	Kreider	Lakin	Lawson
Legan	Liese	Long	Loudon	Luetkemeyer
May 108	Mays 50	McBride	McClelland	McKenna
McLuckie	Merideth	Monaco	Murray	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pryor	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Ross	Scheve
Schilling	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Surface
Thompson	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 023

Akin	Alter	Ballard	Bartelsmeyer	Bennett
Boatright	Dolan	Griesheimer	Hartzler 124	Hohulin
Howerton	Kissell	Levin	Linton	Marble
Murphy	Naeger	Pouche 30	Purgason	Robirds
Schwab	Summers	Townley		

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PRESENT: 000

ABSENT WITH LEAVE: 008

Burton	Elliott	Hickey	Lograsso	Luetkenhaus
Miller	Sallee	Stokan		

VACANCIES: 002

On motion of Representative Days, **CCS HS SB 1053** was truly agreed to and finally passed by the following vote:

AYES: 132

Abel	Auer	Backer	Barnett	Barry 100
Bartle	Berkowitz	Berkstresser	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hegeman
Hendrickson	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Klindt	Koller	Kreider
Lakin	Lawson	Legan	Liese	Long
Loudon	Luetkemeyer	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murray	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pryor	Ransdall	Reid	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Surface	Thompson	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 023

Akin	Alter	Ballard	Bartelsmeyer	Bennett
Boatright	Dolan	Griesheimer	Hartzler 124	Hohulin
Kissell	Levin	Linton	Marble	Murphy
Naeger	Pouche 30	Purgason	Reinhart	Robirds
Schwab	Summers	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 006

Burton	Hickey	Lograsso	Luetkenhaus	Miller
Stokan				

VACANCIES: 002

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Britt, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Curls moved that motion lay on the table.

The latter motion prevailed.

CCR SJR 50, as amended, relating to bingo, was taken up by Representative Scheve.

On motion of Representative Scheve, **CCR SJR 50, as amended**, was adopted by the following vote:

AYES: 126

Abel	Alter	Auer	Backer	Barnett
Barry 100	Bennett	Berkowitz	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Champion	Cierpiot	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Elliott	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Legan
Liese	Long	Luetkemeyer	Luetkenhaus	May 108
Mays 50	McBride	McKenna	Merideth	Monaco
Murray	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Parker	Patek	Pouche 30
Pryor	Ransdall	Reid	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Secrest	Seigfreid	Selby	Shields	Smith
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 021

Akin	Ballard	Bartelsmeyer	Bartle	Berkstresser
Boatright	Chrismer	Crawford	Froelker	Gross
Hendrickson	Hohulin	Howerton	Levin	Marble
McClelland	Murphy	Phillips	Purgason	Skaggs
Summers				

PRESENT: 000

ABSENT WITH LEAVE: 014

Burton	Dougherty	Enz	Linton	Lograsso
Loudon	McLuckie	Miller	O'Connor	Reinhart
Scott	Shelton	Stokan	Wagner	

VACANCIES: 002

On motion of Representative Scheve, **SJR 50** was truly agreed to and finally passed by the following vote:

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AYES: 128

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Berkowitz	Black	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Cierpiot	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Elliott	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Liese
Long	Luetkemeyer	Luetkenhaus	May 108	Mays 50
McBride	McKenna	Merideth	Monaco	Murphy
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Pouche 30	Pryor	Ransdall	Reid	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Smith	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 024

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Berkstresser	Boatright	Chrismer	Crawford	Foster
Gross	Hegeman	Hendrickson	Hohulin	Howerton
Levin	Marble	McClelland	Phillips	Purgason
Reinhart	Skaggs	Summers	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Burton	Kasten	Linton	Lograsso	Loudon
McLuckie	Miller	Scott	Stokan	

VACANCIES: 002

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Berkowitz, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Kelly (27) moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1967, with Senate Amendment No. 1 to Senate Committee Amendment No. 1, Senate Committee Amendment No. 1, as amended, and Senate Amendment No. 1, relating to St. Louis Boundary Commission, was taken up by Representative Hoppe.

Representative Hoppe moved that the House concur in **Senate Amendment No. 1 to HCS HB 1967**, but refuse to concur in **Senate Amendment No. 1 to Senate Committee Amendment No. 1** and **Senate Committee Amendment No. 1, as amended**, and request the Senate to recede from its position on **Senate Amendment No. 1 to Senate Committee Amendment No. 1** and **Senate Committee Amendment No. 1, as amended**, and take up and pass **HCS HB 1967, as amended**.

Representative Shields requested a division of the question on the motion to concur in **Senate Amendment No. 1**, but refusing to concur in **Senate Amendment No. 1 to Senate Committee Amendment No. 1** and **Senate Committee Amendment No. 1, as amended**, to **HCS HB 1967**.

On motion of Representative Hoppe, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 156

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Monaco
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 002

Brooks King

ABSENT WITH LEAVE: 003

Burton Miller Stokan

VACANCIES: 002

Representative Hoppe moved that the House refuse to concur in **Senate Amendment No. 1 to Senate Committee Amendment No. 1** and **Senate Committee Amendment No. 1, as amended.**

Which motion was adopted by the following vote:

AYES: 142

Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Elliott	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Gambaro	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hendrickson	Hickey	Hohulin
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Legan	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Shelton	Shields	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 007

Backer	Bartelsmeyer	Chrismer	Evans	Froelker
Selby	Summers			

PRESENT: 000

ABSENT WITH LEAVE: 012

Burton	Gaskill	Hegeman	Hilgemann	Holand
Levin	Miller	Monaco	O'Toole	Sallee
Stokan	Wiggins			

VACANCIES: 002

Representative Hoppe moved that **HCS HB 1967, with Senate Amendment No. 1**, be third read and finally passed, and request the Senate to recede from its position on **Senate Amendment No. 1 to Senate Committee Amendment No. 1** and **Senate Committee Amendment No. 1, as amended**, and take up and pass the bill.

Which motion was adopted by the following vote:

AYES: 147

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Riley
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Bartelsmeyer	Gibbons	Murphy
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 010

Burton	Harlan	Hickey	Hilgemann	Hohulin
Kasten	Miller	Monaco	Robirds	Stokan

VACANCIES: 002

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 135

Abel	Akin	Alter	Auer	Backer
Barnett	Bartle	Berkowitz	Berkstresser	Black
Blunt	Bonner	Boucher 48	Boykins	Bray 84
Britt	Campbell	Champion	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham 24	Gratz	Green	Griesheimer
Gunn	Hagan-Harrell	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47

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Kelly 27	Kennedy	Kissell	Klindt	Koller
Kreider	Lakin	Legan	Levin	Liese
Linton	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	Merideth	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Pouche 30	Pryor
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 014

Ballard	Bartelsmeyer	Bennett	Boatright	Chrismer
Elliott	Gibbons	Gross	Hohulin	King
Lograsso	Phillips	Purgason	Wright	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 011

Barry 100	Burton	Graham 106	Harlan	Hilgemann
Kasten	Lawson	McLuckie	Miller	Monaco
Stokan				

VACANCIES: 002

On motion of Representative Boucher, title to the bill was agreed to.

Representative Bray moved that the vote by which the bill passed be reconsidered.

Representative Dougherty moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

HCS SS SCS SBs 678 & 742, as amended, relating to judicial and administrative procedure, was taken up by Representative May (108).

Representative Crump moved the previous question on the motion to adopt **HCS SS SCS SBs 678 & 742, as amended**.

Which motion was adopted by the following vote:

AYES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser

Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Liese	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 071

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Murphy	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Burton	Hartzler 124	Miller	Richardson	Skaggs
Stokan	Vogel			

VACANCIES: 002

Representative Hohulin requested verification of the roll call on the motion to call the previous question.

On motion of Representative May (108), **HCS SS SCS SBs 678 & 742, as amended**, was adopted.

On motion of Representative May (108), **HCS SS SCS SBs 678 & 742, as amended**, was read the third time and passed by the following vote:

AYES: 115

Abel	Auer	Backer	Barry 100	Bennett
Berkowitz	Black	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Champion
Cierpiot	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Gambaro	Gibbons	Graham 106	Graham 24
Gratz	Green	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hosmer
Howerton	Kelley 47	Kelly 27	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson

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Liese	Lograsso	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McClelland	McKenna
Merideth	Monaco	Murray	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Ransdall	Reid	Reinhart	Relford
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Seigfreid
Selby	Shelton	Skaggs	Smith	Summers
Surface	Thompson	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 039

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Berkstresser	Blunt	Boatright	Chrismer
Crawford	Dolan	Elliott	Evans	Froelker
Gaskill	George	Griesheimer	Gross	Hegeman
Hohulin	Hoppe	Kasten	Kennedy	Legan
Linton	Long	Loudon	Murphy	Phillips
Pouche 30	Pryor	Purgason	Reynolds	Robirds
Secrest	Shields	Townley	Wright	

PRESENT: 001

Levin

ABSENT WITH LEAVE: 006

Burton	McLuckie	Miller	Nordwald	Scott
Stokan				

VACANCIES: 002

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Monaco, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Shelton moved that motion lay on the table.

The latter motion prevailed.

Speaker Gaw resumed the Chair.

HCS SS #2 SCS SBs 757 & 602, relating to protection of children, was taken up by Representative Scheve.

Representative Scheve offered **HS HCS SS #2 SCS SBs 757 & 602**.

Representative Dougherty offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 757 & 602, Page 38, Section 210.195, Line 4 of said page, by inserting after all of said line the following:

"431.056. A minor shall be qualified and competent to contract for housing, employment, purchase of an automobile, receipt of a student loan, admission to high school or postsecondary school, obtaining medical care, establishing a bank account and admission to a shelter for victims of domestic violence, as defined in section 455.200, RSMo, or a homeless shelter if:

- (1) The minor is sixteen or seventeen years of age; and**
- (2) The minor is homeless, as defined in subdivisions (1), (2) and (3) of subsection 1 of section 167.020, RSMo, or a victim of domestic violence, as defined in section 455.200, RSMo, unless the child is under the supervision of the division of family services or the jurisdiction of the juvenile court; and**
- (3) The minor is self-supporting; and**
- (4) The minor's parents have consented to the minor living independent of the parents' control."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 1** was adopted.

Representative Ostmann offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 757 & 602, Page 45, Section 566.068, Line 20, by inserting after all of said line the following:

"568.065. 1. A person commits the crime of genital mutilation if such person:

- (1) Excises or infibulates, in whole or in part, the labia majora, labia minora, vulva or clitoris of a female child less than seventeen years of age; or**
- (2) Is a parent, guardian or other person legally responsible for a female child less than seventeen years of age and permits the excision or infibulation, in whole or in part, of the labia majora, labia minora, vulva or clitoris of such female child.**

2. Genital mutilation is a class B felony.

3. Belief that the conduct described in subsection 1 of this section is required as a matter of custom, ritual or standard practice, or consent to the conduct by the child on whom it is performed or by the child's parent or legal guardian, shall not be an affirmative defense to a charge pursuant to this section.

4. It is an affirmative defense that the defendant engaged in the conduct charged which constitutes genital mutilation if the conduct was:

(1) Necessary to preserve the health of the child on whom it is performed and is performed by a person licensed to practice medicine in this state; or

(2) Performed on a child who is in labor or who has just given birth and is performed for medical purposes connected with such labor or birth by a person licensed to practice medicine in this state."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ostmann, **House Amendment No. 2** was adopted.

Representative Schilling offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 757 & 602, Page 10, Section 210.109, Line 10 of said page, by inserting after all of said line the following:

- "210.110. As used in sections 210.109 to 210.165, and sections 210.180 to 210.183, the following terms mean:
- (1) "Abuse", any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody, and control, except that discipline including spanking, administered in a reasonable manner, shall not be construed to be abuse;
 - (2) "Central registry", a registry of persons where the division has found probable cause to believe or a court has substantiated through court adjudication that the individual has committed child abuse or neglect or the person has pled guilty or has been found guilty of a crime [under] **pursuant to** section 565.020, 565.021, 565.023, 565.024 or 565.050, RSMo, if the victim is a child less than eighteen years of age, section 566.030 or 566.060, RSMo, if the victim is a child less than eighteen years of age, or other crime [under] **pursuant to** chapter 566, RSMo, if the victim is a child less than eighteen years of age and the perpetrator is twenty-one years of age or older, section 567.050, RSMo, if the victim is a child less than eighteen years of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, or 568.090, RSMo, section 573.025 or 573.035, RSMo, or an attempt to commit any such crimes;
 - (3) "Child", any person, regardless of physical or mental condition, under eighteen years of age;
 - (4) "Director", the director of the Missouri division of family services;
 - (5) "Division", the Missouri division of family services;
 - (6) "Family assessment and services", an approach to be developed by the division of family services which will provide for a prompt assessment of a child who has been reported to the division as a victim of abuse or neglect by a person responsible for that child's care, custody or control and of that child's family, including risk of abuse and neglect and, if necessary, the provision of community-based services to reduce the risk and support the family;
 - (7) "Investigation", the collection of physical and verbal evidence to determine if a child has been abused or neglected;
 - (8) **"Jail or detention center personnel", employees and volunteers working in any premises or institution where incarceration, evaluation, care, treatment or rehabilitation is provided to persons who are being held under custody of the law;**
 - (9) "Neglect", failure to provide, by those responsible for the care, custody, and control of the child, the proper or necessary support, education as required by law, nutrition or medical, surgical, or any other care necessary for the child's well-being;
- [(9)] **(10) "Probable cause", available facts when viewed in the light of surrounding circumstances which would cause a reasonable person to believe a child was abused or neglected;**
- [(10)] **(11) "Report", the communication of an allegation of child abuse or neglect to the division pursuant to section 210.115;**
- [(11)] **(12) "Those responsible for the care, custody, and control of the child", those included but not limited to the parents or guardian of a child, other members of the child's household, or those exercising supervision over a child for any part of a twenty-four-hour day. Those responsible for the care, custody and control shall also include any adult who, based on relationship to the parents of the child, members of the child's household or the family, has access to the child.";** and

Further amend said bill, Page 10, Section 210.115, Line 17 of said page, by inserting at the end of said line the following: **"jail or detention center personnel";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schilling, **House Amendment No. 3** was adopted.

Representative Bonner offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 757 & 602, Page 45, Section 566.068, Line 20, by inserting after all of said line the following:

"568.052. 1. As used in this section, the following terms mean:

- (1) "Collision", the act of a motor vehicle coming into contact with an object or a person;**
- (2) "Injury", physical harm to the body of a person;**
- (3) "Motor vehicle", any automobile, truck, truck-tractor, or any motor bus or motor-propelled vehicle not exclusively operated or driven on fixed rails or tracks;**
- (4) "Unattended", not accompanied by an individual fourteen years of age or older.**

2. A person commits the crime of leaving a child unattended in a motor vehicle in the first degree if such person knowingly leaves a child ten years of age or less unattended in a motor vehicle and such child fatally injures another person by causing a motor vehicle collision or by causing the motor vehicle to fatally injure a pedestrian, such person shall be guilty of a class C felony.

3. A person commits the crime of leaving a child unattended in a motor vehicle in the second degree if such person knowingly leaves a child ten years of age or less unattended in a motor vehicle and such child injures another person by causing a motor vehicle collision or by causing the motor vehicle to injure a pedestrian, such person shall be guilty of a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bonner, **House Amendment No. 4** was adopted.

Representative Gross offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 757 & 602, Page 44, Section 559.115, Line 9, by inserting after said line all of the following:

"566.010. As used in chapters 566 and 568, RSMo, the following terms mean:

- (1) "Deviate sexual intercourse"[means], any act involving the genitals of one person and the **hand**, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the male or female sex organ or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person;**
- (2) "Sexual conduct" [means], sexual intercourse, deviate sexual intercourse or sexual contact;**
- (3) "Sexual contact" [means], any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, for the purpose of arousing or gratifying sexual desire of any person;**
- (4) "Sexual intercourse" [means], any penetration, however slight, of the female sex organ by the male sex organ, whether or not an emission results."; and**

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Gross, **House Amendment No. 5** was adopted.

Representative Richardson offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 757 & 602, Page 44, Section 453.005, Line 18 of said page, by inserting after all of said line the following:

"453.011. 1. In all cases in which the termination of parental rights or adoption of a child is contested by any person or agency, the trial court shall, consistent with due process, expedite the contested termination or adoption proceeding by entering such scheduling orders as are necessary to ensure that the case is not delayed, and such case shall be given priority in setting a final hearing of the proceeding and shall be heard at the earliest possible date over other civil litigation, other than division of family services' child protection cases.

2. In all cases as specified in subsection 1 of this section which are appealed from the decision of a trial court:

(1) The transcript from the prior court proceeding shall be provided to the appellate court no later than thirty days from the date the appeal is filed; and

(2) The appellate court shall, consistent with its rules, expedite the contested termination of parental rights or adoption case by entering such scheduling orders as are necessary to ensure that a ruling will be entered within thirty days of the close of oral arguments, and such case shall be given priority over all other civil litigation, other than division of family services' child protection cases, in reaching a determination on the status of the termination of parental rights or of the adoption; and

(3) In no event shall the court permit more than one request for an extension by either party.

3. It is the intent of the general assembly that the permanency of the placement of a child who is the subject of a termination of parental rights proceeding or an adoption proceeding not be delayed any longer than is absolutely necessary consistent with the rights of all parties, but that the rights of the child to permanency at the earliest possible date be given priority over all other civil litigation other than division of family services' child protection cases."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 6** was adopted.

Representative Kelly (27) offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 757 & 602, Page 19, Section 210.145, Line 9, by inserting after all of said line the following:

"Such notification shall not preclude nor present any investigation by law enforcement".

On motion of Representative Kelly (27), **House Amendment No. 7** was adopted.

Representative Parker offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 757 & 602, Page 38, Section 210.195, Line 4 of said page, by inserting after all of said line the following:

"407.020. 1. The act, use or employment by any person of any deception, fraud, false pretense, false promise, misrepresentation, unfair practice or the concealment, suppression, or omission of any material fact in connection with the sale or advertisement of any merchandise in trade or commerce or the solicitation of any funds for any charitable purpose, as defined in section 407.453, in or from the state of Missouri, is declared to be an unlawful practice. The use by any person, in connection with the sale or advertisement of any merchandise in trade or commerce or the solicitation of any funds for any charitable purpose, as defined in section 407.453, in or from the state of Missouri of the fact that the attorney general has approved any filing required by this chapter as the approval, sanction or endorsement of any activity, project or action of such person, is declared to be an unlawful practice. Any act, use or employment declared unlawful by this subsection violates this subsection whether committed before, during or after the sale, advertisement or solicitation.

2. Nothing contained in **subsection 1 of this section** shall apply to:

(1) The owner or publisher of any newspaper, magazine, publication or printed matter wherein such advertisement appears, or the owner or operator of a radio or television station which disseminates such advertisement when the owner, publisher or operator has no knowledge of the intent, design or purpose of the advertiser; or

(2) Any institution or company that is under the direction and supervision of the director of the department of insurance, or director of the division of finance, unless the directors of such divisions specifically authorize the attorney general to implement the powers of this chapter or such powers are provided to either the attorney general or a private citizen by statute.

3. Any person who willfully and knowingly engages in any act, use, employment or practice declared to be unlawful by **subsection 1 of this section** with the intent to defraud shall be guilty of a class D felony.

4. **A person commits the unlawful practice of computer invasion of privacy when he or she uses a computer, computer network, computer program, computer software, or computer system and intentionally examines, without authorization of the owner of the computer or computer equipment, any employment, salary, credit or any other financial or personal information relating to any other person. "Examination" under this section requires that the person review the information relating to any other person after the time at which the person knows or should know that he or she is without authority from the owner of the computer or computer equipment to view the information displayed.**

5. **The unlawful practice of computer invasion of privacy is a class A misdemeanor, unless the offense is committed for the purpose of devising or executing any scheme or artifice to defraud or to obtain any property, the value of which is seven hundred fifty dollars or more, in which case computer invasion of privacy is a class C felony.**

6. **A person commits the unlawful practice of tampering with computer equipment if he knowingly and without authorization or without reasonable grounds to believe that he has such authorization:**

(1) **Modifies, destroys, damages, or takes equipment or data storage devices used or intended to be used in a computer, computer system, or computer network; or**

(2) **Modifies, destroys, damages, or takes any computer, computer system, or computer network.**

7. **The unlawful practice of tampering with computer equipment is a class A misdemeanor, unless:**

(1) **The offense is committed for the purpose of executing any scheme or artifice to defraud or obtain any property, the value of which is seven hundred fifty dollars or more, in which case it is a class C felony; or**

(2) **The damage to such computer equipment or to the computer, computer system, or computer network is seven hundred fifty dollars or greater, in which case it is a class C felony.**

8. **A person commits the unlawful practice of tampering with computer users if he knowingly and without authorization or without reasonable grounds to believe that he has such authorization:**

(1) **Accesses or causes to be accessed any computer, computer system, or computer network; or**

(2) **Denies or causes the denial of computer system services to an authorized user of such computer system services, which, in whole or in part, is owned by, under contract to, or operated for, or on behalf of, or in conjunction with another.**

9. **The unlawful practice of tampering with computer users is a class A misdemeanor unless the offense is committed for the purpose of devising or executing any scheme or artifice to defraud or to obtain any property, the value of which is seven hundred fifty dollars or more, in which case tampering with computer users is a class D felony.**

10. [It shall be the duty of each prosecuting attorney and circuit attorney in their respective jurisdictions to commence any criminal actions under this section, and] The attorney general shall have concurrent original jurisdiction to commence [such] criminal actions [throughout the state] **pursuant to subsections 1 and 3 of this section in all**

counties of the second, third and fourth classification where such violations have occurred. The attorney general shall have concurrent original jurisdiction to commence criminal actions pursuant to subsections 4 through 9 of this section in all counties of the third classification which do not employ a full-time prosecuting attorney.

11. In order for the attorney general to commence any state prosecution pursuant to subsection 10 of this section for violations of this section, the attorney general shall prepare and forward a report of the violations to the appropriate prosecuting attorney. Upon receiving a referral, the prosecuting attorney shall either commence a prosecution based on the report by the filing of a complaint, information, or indictment within sixty days of receipt of said report or shall file a written statement with the attorney general explaining why criminal charges should not be brought. This time period may be extended by the prosecuting attorney with the agreement of the attorney general for an additional sixty days. If the prosecuting attorney fails to commence a prosecution and fails to file a written statement listing the reasons why criminal charges should not be brought within the appropriate time period, or declines to prosecute on the basis of inadequate office resources, the attorney general may commence prosecutions for violations of this section.

[5. It shall be an unlawful practice for any long-term care facility, as defined in section 660.600, RSMo, except a facility which is a residential care facility I or a residential care facility II, as defined in section 198.006, RSMo, which makes, either orally or in writing representation to residents, prospective residents, their families or representatives, regarding the quality of care provided, or systems or methods utilized for assurance or maintenance of standards of care, to refuse to provide copies of documents which reflect the facility's evaluation of the quality of care, except that the facility may remove information that would allow identification of any resident. If the facility is requested to provide any copies, a reasonable amount, as established by departmental rule, may be charged.

6. Any long-term care facility, as defined in section 660.600, RSMo, which commits an unlawful practice under this section shall be liable for damages in a civil action of up to one thousand dollars for each violation, and attorney's fees and costs incurred by a prevailing plaintiff, as allowed by the circuit court.]"; and

Further amend said bill, Page 44, Section 491.074, Line 24 of said page, by inserting after all of said line the following:

"541.033. Persons accused of committing offenses against the laws of this state[, except as may be otherwise provided by law,] shall be prosecuted:

- (1) In the county in which the offense is committed; or
- (2) If the offense is committed partly in one county and partly in another, [or if the elements of the crime occur in more than one county,] then in any of the counties where any [element] **conduct in furtherance** of the offense occurred;
- (3) If subdivision (1) or (2) does not apply, then in the county in which the victim resided; or**
- (4) In such venue as otherwise provided by law.**

542.281. 1. Any police officer, sheriff or deputy sheriff may make application for the issuance of a search warrant to search for and seize:

- (1) Obscene matter being held or displayed for sale, exhibition, distribution, or circulation to the public;
- (2) Matter that is pornographic for minors being held or displayed for sale, exhibition, distribution, or circulation to minors;
- (3) Property which has been used by the owner, or used with his consent, as a raw material or as an instrument to publish or produce such matter as described in [subdivisions (1) and (2) of] this subsection.

2. A warrant to search for and seize the matters and property described in subsection 1 of this section as evidence in a criminal proceeding pursuant to chapter 573, RSMo, may be issued by a judge of the circuit court in the county or judicial district in which the alleged matter or property is located. Except as provided in this section, the issuance of a warrant to search for and seize obscene matter shall be governed by the provisions of section 542.276. Notwithstanding subsection 3 of section 542.276, oral testimony may be considered.

3. The application and the warrant, if issued, shall designate precisely by title, or otherwise, each item to be searched for and seized.

4. No warrant shall be issued to search for and seize any item unless the judge determines there is probable cause to believe that such item is obscene as defined in section 573.010, RSMo, and is being displayed, sold, exhibited, distributed, or circulated to the public or is pornographic for minors as defined in section 573.010, RSMo, and is being displayed, sold, exhibited, distributed or circulated to minors.

5. If the item to be seized is a book, magazine, paper, or pamphlet or an item that may be photographed, a copy

or photograph of the allegedly obscene item may be annexed to the application.

6. If the item to be seized is a motion picture film or video cassette, written affidavits verified by oath or affirmation of law enforcement officers and city or county prosecutors may supplement the application.

7. An officer in making his application for a warrant may rely on past viewings of a motion picture film or video cassette that is the same as the motion picture film or video cassette to be seized if the film or video cassette to be seized can be identified as the same as or a copy of, the prior viewed film or video cassette by the title of the film or video cassette or the package or label on or surrounding the film or video cassette or some other manner.

8. If the purpose of applying for a warrant is to search for and seize obscene material, **other than child pornography as defined in section 573.010, RSMo**, for other than evidentiary purposes, the judge shall hold an adversary hearing to determine whether such matter is obscene before issuing a warrant. Not less than twenty-four hours before such hearing, written notice of the date, time, place and nature of the hearing, including a description of the matter sought, shall be personally served upon the dealer, exhibitor, displayer or his agent. No warrant shall be issued without the dealer, distributor, or displayer being given a reasonable opportunity to appear in opposition to the issuance. If the material to be seized is the same as or another copy of matter that has already been determined to be obscene in a criminal proceeding against the dealer, exhibitor, displayer or his agent, the determination of obscenity in the criminal proceeding shall constitute clear and convincing evidence that the matter to be seized pursuant to this subsection is obscene. Except when the dealer, exhibitor, or displayer consents to a longer period, or by his actions or pleadings, willfully prevents the prompt resolution of the hearing, a decision shall be rendered no later than ten days from the date of the commencement of the hearing. After service of notice of the hearing, or subpoena, or the execution of a search warrant, intentional alteration, destruction, or removal of any matter, or duplicate of matter, described in the notice shall be punished as contempt of court.

556.046. 1. A defendant may be convicted of an offense included in an offense charged in the indictment or information. An offense is so included when:

(1) It is established by proof of the same or less than all the facts required to establish the commission of the offense charged; or

(2) It is specifically denominated by statute as a lesser degree of the offense charged; or

(3) It consists of an attempt to commit the offense charged or to commit an offense otherwise included therein.

2. The court shall not be obligated to charge the jury with respect to an included offense unless there is a basis for a verdict acquitting the defendant of the offense charged and convicting him of the included offense. **An offense is charged for purposes of this section if:**

(1) **It is in an indictment or information; or**

(2) **It is an offense submitted to the jury because there is a basis for a verdict acquitting the defendant of the offense charged and convicting the defendant of the included offense.**

3. **The court shall be obligated to instruct the jury with respect to a particular included offense only if there is a basis in the evidence for acquitting the defendant of the immediately higher included offense and there is a basis in the evidence for convicting the defendant of that particular included offense."**; and

Further amend said bill, Page 51, Section 559.115, Line 3 of said page, by inserting after all of said line the following:

"565.090. 1. A person commits the crime of harassment if for the purpose of frightening or disturbing another person, he

(1) Communicates [in writing or by telephone] **by any means** a threat to commit any felony; or

(2) [Makes a telephone call or communicates in writing and] Uses coarse language offensive to one of average sensibility **in the course of communicating to another person**; or

(3) [Makes a telephone call anonymously] **Communicates in a manner that does not reveal the person's identity**; or

(4) [Makes repeated telephone calls] **Repeatedly communicates to another person.**

2. Harassment is a class A misdemeanor.

565.225. 1. As used in this section, the following terms shall mean:

(1) "Course of conduct", a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct". Such constitutionally protected activity includes picketing or other organized protests;

(2) "Credible threat", a threat made with the intent to cause the person who is the target of the threat to

reasonably fear for his or her safety. The threat must be against the life of, or a threat to cause physical injury to, a person **and includes a threat communicated to the targeted person by any means including the posting of a site or message that is accessible via a computer and is reasonably likely to cause the targeted person to reasonably fear for his or her safety if made aware of the content of the site or message;**

(3) "Harasses", to engage in a course of conduct directed at a specific person that serves no legitimate purpose, that would cause a reasonable person to suffer substantial emotional distress, and that actually causes substantial emotional distress to that person.

2. Any person who purposely and repeatedly harasses or follows with the intent of harassing another person commits the crime of stalking.

3. Any person who purposely and repeatedly harasses or follows with the intent of harassing or harasses another person, and makes a credible threat with the intent to place that person in reasonable fear of death or serious physical injury, commits the crime of aggravated stalking.

4. The crime of stalking shall be a class A misdemeanor for the first offense. A second or subsequent offense within five years of a previous finding or plea of guilt against any victim shall be a class D felony.

5. The crime of aggravated stalking shall be a class D felony for the first offense. A second or subsequent offense within five years of a previous finding or plea of guilt against any victim shall be a class C felony.

6. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

565.252. 1. A person commits the crime of invasion of privacy in the first degree if he or she knowingly photographs or films another person, without the person's knowledge and consent, while the person being photographed or filmed is in a state of full or partial nudity and is in a place where he or she would have a reasonable expectation of privacy, and the person subsequently distributes the photograph or film to another or transmits the image contained in the photograph or film in a manner that allows access to that image via a computer.

2. Invasion of privacy in the first degree is a class C felony.

565.253. 1. A person commits the crime of invasion of privacy **in the second degree** if he **or she** knowingly views, photographs or films another person, without that person's knowledge and consent, while the person being viewed, photographed or filmed is in a state of full or partial nudity and is in a place where he **or she** would have a reasonable expectation of privacy.

2. Invasion of privacy **in the second degree** is a class A misdemeanor; unless more than one person is viewed, photographed or filmed in full or partial nudity in violation of sections 565.250 to 565.257 during the same course of conduct, in which case invasion of privacy is a class D felony; and unless committed by a prior invasion of privacy offender, in which case invasion of privacy is a class C felony. Prior pleas or findings of guilt shall be pled and proven in the same manner required by the provisions of section 558.021, RSMo."; and

Further amend said bill, Page 51, Section 566.111, Line 20 of said page, by inserting after all of said line the following:

"568.085. 1. A person at least seventeen years of age commits the crime of indecent solicitation of a child if such person solicits a child less than thirteen years of age to do any act, or solicits another person to arrange an act with a child less than thirteen years of age, which if done would be forcible rape, statutory rape in the first degree, sexual assault, forcible sodomy, statutory sodomy in the first degree, child molestation in the first degree, child molestation in the second degree, deviate sexual assault or sexual abuse.

2. It is not a defense to indecent solicitation of a child that the accused reasonably believed the child to be thirteen years of age or older.

3. Any person who commits indecent solicitation of a child is guilty of a class D felony.

4. For the purposes of this section, "solicits" includes but is not limited to oral or written communication and communication by telephone, computer or other electronic means."; and

Further amend said bill, Page 53, Section 569.093, Line 36 of said page, by inserting after all of said line the following:

"569.095. 1. A person commits the crime of tampering with computer data if he knowingly and without authorization or without reasonable grounds to believe that he has such authorization:

- (1) Modifies or destroys data or programs residing or existing internal to a computer, computer system, or computer network; or
 - (2) Modifies or destroys data or programs or supporting documentation residing or existing external to a computer, computer system, or computer network; or
 - (3) Discloses or takes data, programs, or supporting documentation, residing or existing internal or external to a computer, computer system, or computer network; or
 - (4) Discloses or takes a password, identifying code, personal identification number, or other confidential information about a computer system or network that is intended to or does control access to the computer system or network;
 - (5) Accesses a computer, a computer system, or a computer network, and intentionally examines information about another person;
 - (6) Receives, retains, uses, or discloses any data he knows or believes was obtained in violation of this subsection.
2. Tampering with computer data is a class A misdemeanor, unless the offense is committed for the purpose of devising or executing any scheme or artifice to defraud or to obtain any property, the value of which is [one hundred fifty] **seven hundred fifty** dollars or more, in which case tampering with computer data is a class D felony."; and

Further amend said bill, Page 57, Section 573.010, Line 14 of said page, by inserting after all of said line the following:

"573.017. Any city, town and county may enact and enforce an ordinance prohibiting public nudity, or any live electronic transmission via Internet of any live public nudity, that substantially complies with *City of Erie v. Pap's A.M. TDBA "Kandyland"*, No. 98-1161, decided by the Supreme Court of the United States on March 29, 2000."; and

Further amend said bill, Page 62, Section 573.040, Line 11 of said page, by inserting after all of said line the following:

"578.524. 1. Any school district as defined in section 160.011, RSMo, any university or state college organized pursuant to chapters 172 through 174, RSMo, or any technical or vocational school organized pursuant to chapter 178, RSMo, that provides computers accessible to its students or the public shall, on or before July 1, 2002, develop a written computer use policy designed to prevent minors from gaining access to material which is pornographic for minors.

2. The board of any library which receives state funds and provides public access to its computers shall, on or before July 1, 2002, develop a written computer use policy designed to prevent minors from gaining access to material which is pornographic for minors.

3. Any school district, university, state college, vocational school, technical school or library described in subsections 1 and 2 of this section that does not comply with the requirements of this section by July 1, 2002, shall not expend any state funds for the purchase of computers, computer equipment, computer programs or computer services until such time as that entity has met the requirements of this section."; and

Further amend said bill, Page 64, Section 589.410, Lines 18 to 23 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"589.410. 1. The chief law enforcement official shall forward the completed offender registration form to the [central repository] within [ten] **three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system upon inquiry.**

2. The department of public safety shall develop and maintain a system for making the registry of persons who have pled guilty to or been convicted of a third or subsequent sexual offense requiring registration, and have demonstrated predatory behavior, available on its Internet web site. Notwithstanding the provisions of section 589.417 to the contrary, the information to be available on the Internet shall include the person's name; date of birth; address of residence; crime which requires registration; whether such person was sentenced as a predatory or persistent sexual offender pursuant to section 558.018, RSMo, date, place and brief description of such crime; of such conviction or plea regarding such crime; age and gender of the victim at the time of the

offense; photograph, and such other information as the department of public safety may determine is necessary to preserve public safety. The system shall be secure and not capable of being altered except by or through the department of public safety.

3. The information shall be removed from the Internet after twenty years unless the offender has pled guilty to or been found guilty of a sexual offense pursuant to chapter 566, RSMo, during such time period."; and

Further amend said bill, Page 67, Section 589.425, Line 18 of said page, by inserting after all of said line the following:

"595.045. 1. There is established in the state treasury the "Crime Victims' Compensation Fund". A surcharge of [five] **ten** dollars shall be assessed as costs in each court proceeding filed in any court in the state in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of [five] **ten** dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031, RSMo.

2. Notwithstanding any other provision of law to the contrary, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with [section 514.015] **sections 488.010 to 488.020**, RSMo, and shall be payable to the director of the department of revenue.

3. The director of revenue shall deposit annually the amount of two hundred fifty thousand dollars to the state forensic laboratory account administered by the department of public safety to provide financial assistance to defray expenses of crime laboratories if such analytical laboratories are registered with the federal Drug Enforcement Agency or the Missouri department of health. Subject to appropriations made therefor, such funds shall be distributed by the department of public safety to the crime laboratories serving the courts of this state making analysis of a controlled substance or analysis of blood, breath or urine in relation to a court proceeding.

[3.] **4. The remaining funds collected [under] pursuant to subsection 1 of this section shall be devoted to the payment of an annual appropriation for the administrative and operational costs of the office for victims of crime and, if a statewide automated crime victim notification system, which may include Internet capabilities, is established pursuant to subsection 3 of section 650.310, RSMo, to the monthly payment of expenditures actually incurred in the operation of such system. Additional remaining funds shall be subject to the following provisions:**

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100;

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100;

[4.] **5. The director of revenue or such director's designee shall at least monthly report the moneys paid pursuant to this section into the crime victims' compensation fund and the services to victims fund to the division of workers' compensation and the department of public safety, respectively.**

[5.] **6. The moneys collected by clerks of municipal courts pursuant to subsection 1 of this section shall be collected and disbursed as provided by [section 514.015] sections 488.010 to 488.020, RSMo. Five percent of such moneys shall be payable to the city treasury of the city from which such funds were collected. The remaining ninety-five percent of such moneys shall be payable to the director of revenue. The funds received by the director of revenue pursuant to this subsection shall be distributed as follows:**

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100;

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100.

[6.] **7.** These funds shall be subject to a biennial audit by the Missouri state auditor. Such audit shall include all records associated with crime victims' compensation funds collected, held or disbursed by any state agency.

[7.] **8.** In addition to the moneys collected pursuant to subsection 1 of this section, the court shall enter a judgment in favor of the state of Missouri, payable to the crime victims' compensation fund, of sixty-eight dollars if the conviction is for a class A or B felony; forty-six dollars if the conviction is for a class C or D felony; and ten dollars if the conviction is for any misdemeanor [under] **pursuant to** the following Missouri laws:

- (1) Chapter 195, RSMo, relating to drug regulations;
- (2) Chapter 311, RSMo, but relating only to felony violations of this chapter committed by persons not duly licensed by the supervisor of liquor control;
- (3) Chapter 491, RSMo, relating to witnesses;
- (4) Chapter 565, RSMo, relating to offenses against the person;
- (5) Chapter 566, RSMo, relating to sexual offenses;
- (6) Chapter 567, RSMo, relating to prostitution;
- (7) Chapter 568, RSMo, relating to offenses against the family;
- (8) Chapter 569, RSMo, relating to robbery, arson, burglary and related offenses;
- (9) Chapter 570, RSMo, relating to stealing and related offenses;
- (10) Chapter 571, RSMo, relating to weapons offenses;
- (11) Chapter 572, RSMo, relating to gambling;
- (12) Chapter 573, RSMo, relating to pornography and related offenses;
- (13) Chapter 574, RSMo, relating to offenses against public order;
- (14) Chapter 575, RSMo, relating to offenses against the administration of justice;
- (15) Chapter 577, RSMo, relating to public safety offenses.

Any clerk of the court receiving moneys pursuant to such judgments shall collect and disburse such crime victims' compensation judgments in the manner provided by [section 514.015] **sections 488.010 to 488.020**, RSMo. Such funds shall be payable to the state treasury and deposited to the credit of the crime victims' compensation fund.

[8.] **9.** The clerk of the court processing such funds shall maintain records of all dispositions described in subsection 1 of this section and all dispositions where a judgment has been entered against a defendant in favor of the state of Missouri in accordance with this section; all payments made on judgments for alcohol-related traffic offenses; and any judgment or portion of a judgment entered but not collected. These records shall be subject to audit by the state auditor. The clerk of each court transmitting such funds shall report separately the amount of dollars collected on judgments entered for alcohol-related traffic offenses from other crime victims' compensation collections or services to victims collections.

[9.] **10.** The clerks of the court shall report all delinquent payments to the department of revenue by October first of each year for the preceding fiscal year, and such sums may be withheld pursuant to subsection [14] **15** of this section.

[10.] **11.** The department of revenue shall maintain records of funds transmitted to the crime victims' compensation fund by each reporting court and collections pursuant to subsection [17] **18** of this section and shall maintain separate records of collection for alcohol-related offenses.

[11.] **12.** Notwithstanding any other provision of law to the contrary, the provisions of subsections [8 and] **9**

and 10 of this section shall expire and be of no force and effect upon the effective date of the supreme court rule adopted pursuant to [section 514.015] **sections 488.010 to 488.020**, RSMo.

[12.] **13.** The state courts administrator shall include in the annual report required by section 476.350, RSMo, the circuit court caseloads and the number of crime victims' compensation judgments entered.

[13.] **14.** All awards made to injured victims [under] **pursuant to** sections 595.010 to 595.105 and all appropriations for administration of sections 595.010 to 595.105, except sections 595.050 and 595.055, shall be made from the crime victims' compensation fund. Any unexpended balance remaining in the crime victims' compensation fund at the end of each biennium shall not be subject to the provision of section 33.080, RSMo, requiring the transfer of such unexpended balance to the ordinary revenue fund of the state, but shall remain in the crime victims' compensation fund. In the event that there are insufficient funds in the crime victims' compensation fund to pay all claims in full, all claims shall be paid on a pro rata basis. If there are no funds in the crime victims' compensation fund, then no claim shall be paid until funds have again accumulated in the crime victims' compensation fund. When sufficient funds become available from the fund, awards which have not been paid shall be paid in chronological order with the oldest paid first. In the event an award was to be paid in installments and some remaining installments have not been paid due to a lack of funds, then when funds do become available that award shall be paid in full. All such awards on which installments remain due shall be paid in full in chronological order before any other postdated award shall be paid. Any award pursuant to this subsection is specifically not a claim against the state, if it cannot be paid due to a lack of funds in the crime victims' compensation fund.

[14.] **15.** When judgment is entered against a defendant as provided in this section and such sum, or any part thereof, remains unpaid, there shall be withheld from any disbursement, payment, benefit, compensation, salary, or other transfer of money from the state of Missouri to such defendant an amount equal to the unpaid amount of such judgment. Such amount shall be paid forthwith to the crime victims' compensation fund and satisfaction of such judgment shall be entered on the court record. Under no circumstances shall the general revenue fund be used to reimburse court costs or pay for such judgment. The director of the department of corrections shall have the authority to pay into the crime victims' compensation fund from an offender's compensation or account the amount owed by the offender to the crime victims' compensation fund, provided that the offender has failed to pay the amount owed to the fund prior to entering a correctional facility of the department of corrections.

[15.] **16.** All interest earned as a result of investing funds in the crime victims' compensation fund shall be paid into the crime victims' compensation fund and not into the general revenue of this state.

[16.] **17.** Any person who knowingly makes a fraudulent claim or false statement in connection with any claim hereunder is guilty of a class A misdemeanor.

[17.] **18.** Any gifts, contributions, grants or federal funds specifically given to the division for the benefit of victims of crime shall be credited to the crime victims' compensation fund. Payment or expenditure of moneys in such funds shall comply with any applicable federal crime victims' compensation laws, rules, regulations or other applicable federal guidelines.

650.300. As used in sections 650.300 to 650.310, the following terms shall mean:

- (1) "Catastrophic crime", a violation of section 569.070, RSMo;
- (2) "Office", the office for victims of crime;
- (3) "Private agency", a private agency as defined in section 590.010, RSMo;
- (4) "Public agency", a public agency as defined in section 590.010, RSMo;
- (5) "Victim of crime", a person afforded rights as a victim or entitled to compensation or services as a victim pursuant to chapter 595, RSMo.

650.310. 1. The "Office for Victims of Crime" is hereby created within the department of public safety for the purpose of promoting the fair and just treatment of victims of crime, including victims of computer crimes. The 0000office shall coordinate and promote the state's program for victims of crime and shall provide channels of communication among public and private agencies regarding their interrelation in the provision of victim services and other issues related to victims of crime. The office may directly assist victims of crime in seeking services and in exercising the rights afforded to victims of crime pursuant to chapter 595, RSMo, and the Missouri Constitution. In the event of a catastrophic crime, the office shall develop and coordinate the implementation of a response plan to meet the needs of any resulting victims of crime.

2. The department of corrections shall cooperate with the office for victims of crime in the establishment of a system to reimburse victims of crime for attending parole hearings. The office may reimburse a person for the costs of mileage and lost wages incurred by attendance at a parole hearing arising from a crime directly responsible for such person's status as a victim of crime.

3. The office for victims of crime shall assess and report to the governor the costs and benefits of establishing a statewide automated crime victim notification system within the criminal justice system and shall serve as the coordinating agency for the development, implementation, and maintenance of any such system. When the fiscal resources are available, the system may include Internet computer capabilities.

4. The department of public safety may promulgate reasonable rules to meet the objectives of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith offered **House Substitute Amendment No. 1 for House Amendment No. 8.**

*House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 757 & 602, Section 491.074, Page 39, Line 6, by inserting immediately after said line the following:

"541.033. Persons accused of committing offenses against the laws of this state, [except as may be otherwise provided by law,] shall be prosecuted:

- (1) In the county in which the offense is committed; or
- (2) If the offense is committed partly in one county and partly in another, [or if the elements of the crime occur in more than one county,] then in any of the counties where any [element] **conduct in furtherance** of the offense occurred; or
- (3) **If subdivision (1) or (2) does not apply, then in the county in which the victim resided; or**
- (4) **In such venue as otherwise provided by law.**

541.155. Any person charged with fraudulent use of a credit device, or any stealing offense in which another person's credit card number was fraudulently used for the purpose of obtaining property or services of another, shall be prosecuted:

- (1) **In the county in which the offense is committed; or**
- (2) **If the offense is committed partly in one county and partly in another, or if the elements of the offense occur in more than one county, then in any of the counties where any element of the offense occurred; or**
- (3) **In the county in which the defendant resides; or**
- (4) **In the county in which the victim resides; or**
- (5) **In the county in which the property obtained or attempted to be obtained was located.";** and

556.036. 1. A prosecution for murder or any class A felony may be commenced at any time.

2. Except as otherwise provided in this section, prosecutions for other offenses must be commenced within the following periods of limitation:

- (1) For any felony, three years;
- (2) For any misdemeanor, one year;
- (3) For any infraction, six months.

3. If the period prescribed in subsection 2 has expired, a prosecution may nevertheless be commenced for:

- (1) Any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself or herself not a party to the offense, but in no case shall this provision extend the period of limitation by more than three years. As used in this subdivision, the term "person who has a legal duty to represent an aggrieved

party" shall mean the attorney general or the prosecuting or circuit attorney having jurisdiction pursuant to section 407.553, RSMo, for purposes of offenses committed pursuant to sections 407.511 to 407.556, RSMo; and

(2) Any offense based upon misconduct in office by a public officer or employee at any time when the defendant is in public office or employment or within two years thereafter, but in no case shall this provision extend the period of limitation by more than three years; and

(3) Any offense based upon an intentional and willful fraudulent claim of child support arrearage to a public servant in the performance of his or her duties within one year after discovery of the offense, but in no case shall this provision extend the period of limitation by more than three years.; **and**

(4) Any offense in violation of sections 578.500 to 578.521, RSMo, within one year after the discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself not a party to the offense, but in no case shall this provision extend the period of limitation by more than three years. As used in this section, the term "person who has a legal duty to represent an aggrieved party" shall mean the attorney general or the prosecuting or circuit attorney having jurisdiction pursuant to sections 578.518 and 578.521, RSMo, for offenses committed pursuant to sections 578.500 to 578.521, RSMo.

4. An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed.

5. A prosecution is commenced either when an indictment is found or an information filed.

6. The period of limitation does not run:

(1) During any time when the accused is absent from the state, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years; or

(2) During any time when the accused is concealing himself from justice either within or without this state; or

(3) During any time when a prosecution against the accused for the offense is pending in this state; or

(4) During any time when the accused is found to lack mental fitness to proceed pursuant to section 552.020, RSMo."; and

Further amend said bill, Page 45, Section 559.115, Line 9 of said page, by inserting immediately after said line the following:

"565.090. Harassment

1. A person commits the crime of harassment if for the purpose of frightening or disturbing another person, [he] **such person:**

(1) Communicates [in writing or by telephone] **by any means** a threat to commit any felony; or

(2) [Makes a telephone call or communicates in writing and] Uses course language offensive to one of average sensibility **in the course of communication to another person; or**

(3) [Makes a telephone call anonymously] **Repeatedly communicates to another person.**

2. Harassment is a class A misdemeanor **except that a violation of subdivision (1) of this section is a class D felony.**

565.225. 1. As used in this section, the following terms shall mean:

(1) "Course of conduct", a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct". Such constitutionally protected activity includes picketing or other organized protests;

(2) "Credible threat", a threat made with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety. The threat must be against the life of, or a threat to cause physical injury to, a person **and includes a threat communicated to the targeted person in writing, including electronic communications, by telephone, or by the posting of a site or message that is publicly accessible via a computer and is reasonably likely to cause the targeted person to reasonably fear for his or her safety if made aware of the content of the site or message;**

(3) "Harasses", to engage in a course of conduct directed at a specific person that serves no legitimate purpose, that would cause a reasonable person to suffer substantial emotional distress, and that actually causes substantial emotional distress to that person.

2. Any person who purposely and repeatedly harasses or follows with the intent of harassing another person commits the crime of stalking.

3. Any person who purposely and repeatedly harasses or follows with the intent of harassing or harasses another

person, and makes a credible threat with the intent to place that person in reasonable fear of death or serious physical injury, commits the crime of aggravated stalking.

4. The crime of stalking shall be a class A misdemeanor for the first offense. A second or subsequent offense within five years of a previous finding or plea of guilt against any victim shall be a class D felony.

5. The crime of aggravated stalking shall be a class D felony for the first offense. A second or subsequent offense within five years of a previous finding or plea of guilt against any victim shall be a class C felony.

6. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

565.252. 1. A person commits the crime of invasion of privacy in the first degree if he or she knowingly photographs, films or otherwise visually records another person, with or without that person's knowledge and consent, while the person being photographed, filmed or recorded is in a state of full or partial nudity and is in a place where he or she would have a reasonable expectation of privacy, and the person subsequently distributes or allows to be viewed, without the other person's consent, the photograph or film to another or transmits the image contained in the photograph or film in a manner that allows access to that image via a computer.

2. Invasion of privacy in the first degree is a class C felony.

565.253. 1. A person commits the crime of invasion of privacy **in the second degree** if he **or she** knowingly views, photographs or films another person, without that person's knowledge and consent, while the person being viewed, photographed or filmed is in a state of full or partial nudity and is in a place where he **or she** would have a reasonable expectation of privacy.

2. Invasion of privacy **in the second degree** is a class A misdemeanor; unless more than one person is viewed, photographed or filmed in full or partial nudity in violation of sections 565.250 to 565.257 during the same course of conduct, in which case invasion of privacy is a class D felony; and unless committed by a prior invasion of privacy offender, in which case invasion of privacy is a class C felony. Prior pleas or findings of guilt shall be pled and proven in the same manner required by the provisions of section 558.021, RSMo.”; and

Further amend said bill, Page 45, Section 566.068, Line 20, by inserting immediately after said line the following:

“568.085. 1. A person at least seventeen years of age commits the crime of indecent solicitation of a child if such person solicits a child less than thirteen years of age to do any act, or solicits another person to arrange an act with a child less than thirteen years of age, which if done would be forcible rape, statutory rape in the first degree, sexual assault, forcible sodomy, statutory sodomy in the first degree, child molestation in the first degree, child molestation in the second degree, deviate sexual assault or sexual abuse.

2. It is not a defense to indecent solicitation of a child that the accused reasonably believed the child to be thirteen years of age or older.

3. Any person who commits indecent solicitation of a child is guilty of a class D felony.

4. For the purposes of this section, "solicits" includes but is not limited to oral or written communication and communication by telephone, computer or other electronic means.”; and

Further amend said bill, Page 46, Section 568.110, Line 13, by inserting immediately after said line the following:

“569.070. 1. A person commits the crime of causing catastrophe if [he] such person:

(1) Knowingly causes a catastrophe by explosion, fire, flood, collapse of a building, release of poison, radioactive material, bacteria, virus, computer virus or other dangerous and difficult to confine force or substance; or

(2) Knowingly and without authorization alters any computer network or program with the purpose of causing a catastrophe by one or more of the events listed in subdivision (1) of this subsection.

2. "Catastrophe" means death or serious physical injury to ten or more people or substantial damage to [five or more buildings or inhabitable structures] **a building or inhabitable structure** or substantial damage to a **private or public utility, vital public facility or public service** which seriously impairs its usefulness or operation.

3. Causing catastrophe is a class A felony.”; and

Further amend said bill, Page 47, Section 569.093, Line 36, by inserting immediately after said line the following:

[569.094. In a prosecution under sections 569.095 to 569.099, computer printouts shall be competent evidence of any computer software, program, or data contained in or taken from a computer, computer system, or computer network.]

[569.095. 1. A person commits the crime of tampering with computer data if he knowingly and without authorization or without reasonable grounds to believe that he has such authorization:

(1) Modifies or destroys data or programs residing or existing internal to a computer, computer system, or computer network; or

(2) Modifies or destroys data or programs or supporting documentation residing or existing external to a computer, computer system, or computer network; or

(3) Discloses or takes data, programs, or supporting documentation, residing or existing internal or external to a computer, computer system, or computer network; or

(4) Discloses or takes a password, identifying code, personal identification number, or other confidential information about a computer system or network that is intended to or does control access to the computer system or network;

(5) Accesses a computer, a computer system, or a computer network, and intentionally examines information about another person;

(6) Receives, retains, uses, or discloses any data he knows or believes was obtained in violation of this subsection.

2. Tampering with computer data is a class A misdemeanor, unless the offense is committed for the purpose of devising or executing any scheme or artifice to defraud or to obtain any property, the value of which is one hundred fifty dollars or more, in which case tampering with computer data is a class D felony.]

[569.097. 1. A person commits the crime of tampering with computer equipment if he knowingly and without authorization or without reasonable grounds to believe that he has such authorization:

(1) Modifies, destroys, damages, or takes equipment or data storage devices used or intended to be used in a computer, computer system, or computer network; or

(2) Modifies, destroys, damages, or takes any computer, computer system, or computer network.

2. Tampering with computer equipment is a class A misdemeanor, unless:

(1) The offense is committed for the purpose of executing any scheme or artifice to defraud or obtain any property, the value of which is one hundred fifty dollars or more, in which case it is a class D felony; or

(2) The damage to such computer equipment or to the computer, computer system, or computer network is one hundred fifty dollars or more but less than one thousand dollars, in which case it is a class D felony; or

(3) The damage to such computer equipment or to the computer, computer system, or computer network is one thousand dollars or greater, in which case it is a class C felony.]

[569.099. 1. A person commits the crime of tampering with computer users if he knowingly and without authorization or without reasonable grounds to believe that he has such authorization:

(1) Accesses or causes to be accessed any computer, computer system, or computer network; or

(2) Denies or causes the denial of computer system services to an authorized user of such computer system services, which, in whole or in part, is owned by, under contract to, or operated for, or on behalf of, or in conjunction with another.

2. The offense of tampering with computer users is a class A misdemeanor unless the offense is committed for the purpose of devising or executing any scheme or artifice to defraud or to obtain any property, the value of which is one hundred fifty dollars or more, in which case tampering with computer users is a class D felony.]

570.083. 1. A person who uses the Internet to sell property when that person knows or has reasonable cause to believe the property is stolen, commits theft by Internet.

2. A person who uses the Internet to purchase property with a credit card or checking account when the person knows or has reasonable cause to believe the credit card or checking account is fictitious or stolen, commits theft by Internet.

3. Theft by Internet is a class C felony regardless of the value of the stolen property.” ;and

Further amend said bill, Section 573.040, Page 56, Line 11, by inserting immediately after said line the following:

“578.503. 1. A person commits the crime of tampering with computer data if he or she knowingly and without authorization or without reasonable grounds to believe that he or she has such authorization:

(1) Modifies or destroys data or programs residing or existing internal to a computer, computer system,

or computer network; or

(2) Modifies or destroys data or programs or supporting documentation residing or existing external to a computer, computer system, or computer network; or

(3) Discloses or takes data, programs, or supporting documentation, residing or existing internal or external to a computer, computer system, or computer network; or

(4) Discloses or takes a password, identifying code, personal identification number, or other confidential information relating to a computer system or network that is intended to or does control access to the computer system or network; or

(5) Receives, retains, uses, or discloses any data he or she knows or believes was obtained in violation of this subsection.

2. Tampering with computer data is a class A misdemeanor, unless the offense is committed for the purpose of devising or executing any scheme or artifice to defraud or to obtain any property, the value of which is five hundred dollars or more, in which case tampering with computer data is a class C felony.

578.506. 1. A person commits the crime of tampering with computer equipment if he or she knowingly and without authorization or without reasonable grounds to believe that he or she has such authorization:

(1) Modifies, destroys, damages, or takes any computer equipment used or intended to be used in a computer, computer system, or computer network; or

(2) Modifies, destroys, damages, or takes any computer, computer system, or computer network.

2. Tampering with computer equipment is a class A misdemeanor, unless:

(1) The offense is committed for the purpose of executing any scheme or artifice to defraud or obtain any property, the value of which is five hundred dollars or more, in which case it is a class C felony; or

(2) The damage to such computer equipment or to the computer, computer system, or computer network is five hundred dollars or more, in which case it is a class C felony.

578.509. 1. A person commits the crime of tampering with computer users if he or she knowingly and without authorization or without reasonable grounds to believe that he or she has such authorization:

(1) Accesses or causes to be accessed any computer, computer system, or computer network; or

(2) Denies or causes the denial of computer system services to any computer user.

2. Tampering with computer users is a class A misdemeanor unless the offense is committed for the purpose of devising or executing any scheme or artifice to defraud or to obtain any property, the value of which is five hundred dollars or more, in which case tampering with computer users is a class C felony.

578.512. 1. A person commits the crime of computer invasion of privacy when he or she uses a computer, computer network, computer program, computer software, or computer system and intentionally examines without authorization or without reasonable grounds to believe that he or she has such authorization, any employment, salary, credit or any other financial or personal information relating to any other person. "Examination" under this section requires that the person review the information relating to any other person after the time at which the person knows or should know that he or she is without authority to view the information displayed.

2. Computer invasion of privacy is a class D felony, unless the offense is committed for the purpose of devising or executing any scheme or artifice to defraud or to obtain any property, the value of which is five hundred dollars or more, in which case computer invasion of privacy is a class C felony.

578.515. 1. A person commits the crime of unlawful computerized communications if, for the purpose of frightening, intimidating, threatening, or disturbing another person, he or she:

(1) Communicates by computer a threat to commit any felony; or

(2) Communicates by computer and, in the course of such communication, uses coarse language offensive to one of average sensibility; or

(3) Communicates by computer in a manner that does not reveal the person's identity; or

(4) Sends repeated communications by computer after receiving notice from the receiver that no further communications are desired.

2. Unlawful computerized communications is a class A misdemeanor, except that unlawful computerized communications pursuant to subdivision (1) or (4) of subsection 1 of this section is a class D felony.

578.518. 1. Each prosecuting attorney shall have the authority to commence any criminal actions pursuant to sections 578.500 to 578.518, and the attorney general shall have concurrent jurisdiction to commence such criminal actions pursuant to this section. In order for the attorney general to commence a state prosecution for violations of section 578.500 to 578.518, the attorney general shall prepare and forward a report of the violations

to the appropriate prosecuting attorney. Upon receiving a referral, the prosecuting attorney may commence a prosecution based on the report by the filing of a complaint, information or indictment within ten days of receipt of said report. If the prosecuting attorney commences a criminal prosecution, the attorney general or his designee shall be permitted by the court to participate as a special assistant prosecuting attorney in settlement negotiations and all court proceedings, subject to the authority of the prosecuting attorney, for the purpose of providing such assistance as may be necessary. If the prosecuting attorney fails to commence a prosecution within ten days after receiving said report, the attorney general shall have authority to commence prosecutions for violations of sections 578.500 to 578.518. In cases where a defendant pursuant to a common scheme or plan has committed acts which constitute or would constitute violations of sections 578.500 to 578.518 in more than one state, the attorney general shall have the authority to represent the state of Missouri in any plea agreement which resolves all criminal prosecutions within and without the state, and such agreement shall be binding on all state prosecutors.

2. If any element of any offense in violation of the laws of this state or any act in furtherance of any element of any offense involves access or permitted access to a computer, computer network, computer data, computer program or computer system located in whole or in part within this state, the prosecuting attorney shall have the authority to commence any criminal action and the attorney general shall have concurrent jurisdiction to commence such criminal actions pursuant to the provisions of subsection 1 of this section.”; and

Further amend the title and enacting clause accordingly.

Representative Ridgeway raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 8** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Smith moved that **House Substitute Amendment No. 1 for House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Auer	Backer	Barnett	Barry 100	Bennett
Berkowitz	Black	Blunt	Bonner	Boucher 48
Bray 84	Brooks	Campbell	Clayton	Crump
Curls	Davis 122	Days	Dougherty	Fitzwater
Ford	Franklin	Fraser	Gibbons	Graham 24
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Marble	Mays 50	McClelland
McLuckie	Monaco	Patek	Ransdall	Reid
Relford	Reynolds	Riley	Rizzo	Ross
Scheve	Schilling	Seigfreid	Selby	Skaggs
Smith	Surface	Thompson	Treadway	Troupe
Tudor	Wagner	Ward	Wiggins	Williams 121
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 078

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Berkstresser	Boatright	Boykins	Britt	Champion
Chrismer	Cierpiot	Crawford	Davis 63	Dolan
Elliott	Enz	Evans	Farnen	Foley
Foster	Froelker	Gambaro	Gaskill	George
Graham 106	Gratz	Green	Griesheimer	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hohulin
Holand	Howerton	Kasten	Kelley 47	King

Klindt	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
McBride	Merideth	Murphy	Murray	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Phillips	Pouche 30	Purgason	Reinhart
Richardson	Ridgeway	Robirds	Sallee	Schwab
Scott	Secrest	Shelton	Shields	Summers
Townley	Vogel	Williams 159		

PRESENT: 000

ABSENT WITH LEAVE: 009

Abel	Burton	May 108	McKenna	Miller
Nordwald	Pryor	Stokan	Van Zandt	

VACANCIES: 002

House Amendment No. 8 was withdrawn.

Representative Crump moved the previous question on the motion to adopt **HS HCS SS #2 SCS SBs 757 & 602, as amended.**

Which motion was adopted by the following vote:

AYES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Cierpiot	Crawford
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Murphy	Myers	Naeger	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Purgason	Reid	Reinhart	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 000

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ABSENT WITH LEAVE: 007

Burton	Dolan	Gunn	Miller	Richardson
Stokan	Troupe			

VACANCIES: 002

Representative Hohulin requested verification of the roll call on the motion to call the previous question.

On motion of Representative Scheve, **HS HCS SS #2 SCS SBs 757 & 602, as amended**, was adopted.

On motion of Representative Scheve, **HS HCS SS #2 SCS SBs 757 & 602, as amended**, was read the third time and passed by the following vote:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Ridgeway
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Troupe	Tudor	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Burton	Linton	Miller	Monaco	Murphy
Richardson	Sallee	Stokan	Van Zandt	

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SB 856, as amended**: Senators Maxwell, Wiggins, Carter, Singleton and Bentley.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has replaced Senator Ehlmann with Senator Kinder on the Conference Committee appointed to act with a like committee from the House on **HCS SS SS#3 SJR 35, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 894, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1082**, entitled:

An act to repeal section 12.010, RSMo 1994, relating to consent of the state to the acquisition of land by the federal government, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 28**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HS HCS HBs 1652 & 1433**, entitled:

An act to repeal sections 407.911, 407.913, 407.927, 407.929 and 407.931, RSMo 1994, relating to tobacco products, and to enact in lieu thereof thirteen new sections relating to the same subject, with penalty provisions and an effective date.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 1

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 1*

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, Page 152, Section 196.1014, by removing all of said section 196.1014; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has receded from its position on **SCA 1, as amended**, to **HCS HB 1967** and has taken up and passed **HCS HB 1967, as amended by SA 1**.

Emergency clause adopted.

BILL CARRYING REQUEST MESSAGE

HS HCS SCS SB 894, as amended, relating to delinquent property taxes, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to recede from its position on **HS HCS SCS SB 894, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS HCS SCS SB 894: Representatives Hoppe, Rizzo, Smith, Griesheimer and Richardson

HOUSE BILL WITH SENATE AMENDMENT

SS SCS HB 1082, relating to federal land acquisition, was taken up by Representative Crump.

On motion of Representative Crump, **SS SCS HB 1082** was adopted by the following vote:

AYES: 135

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Britt	Brooks
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Dolan
Dougherty	Enz	Evans	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Gambaro

Gaskill	George	Gibbons	Graham 106	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Hoppe
Howerton	Kelley 47	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lawson	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	Merideth
Monaco	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Seigfreid	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 42	Wright	Mr. Speaker

NOES: 013

Bray 84	Campbell	Days	Farnen	Fraser
Graham 24	Hosmer	Kelly 27	McLuckie	Schilling
Selby	Van Zandt	Wilson 25		

PRESENT: 000

ABSENT WITH LEAVE: 013

Boykins	Burton	Elliott	Harlan	Hartzler 124
Holand	Kasten	Lakin	Miller	Richardson
Scheve	Shelton	Stokan		

VACANCIES: 002

On motion of Representative Crump, **SS SCS HB 1082** was truly agreed to and finally passed by the following vote:

AYES: 133

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Britt	Brooks	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Dolan	Dougherty	Enz	Evans
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Hartzler 123
Hegeman	Hendrickson	Hickey	Hohulin	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Murphy	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Ridgeway	Riley
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Shelton	Shields

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Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 42	Wright	Mr. Speaker		

NOES: 013

Boucher 48	Bray 84	Campbell	Days	Farnen
Fraser	Graham 24	Kelly 27	McLuckie	Schilling
Selby	Van Zandt	Wilson 25		

PRESENT: 000

ABSENT WITH LEAVE: 015

Auer	Ballard	Boykins	Burton	Elliott
Harlan	Hartzler 124	Hilgemann	Holand	Kasten
Miller	Monaco	Richardson	Sallee	Stokan

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Seigfreid moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

SCS SB 540, relating to state fair, was taken up by Representative Wiggins.

Representative Sallee offered **House Amendment No. 1**.

Representative Wiggins raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Wiggins, **SCS SB 540** was truly agreed to and finally passed by the following vote:

AYES: 142

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Bray 84	Britt
Brooks	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Dolan	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George

Gibbons	Graham 106	Graham 24	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Hoppe	Hosmer	Howerton
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Legan
Levin	Liese	Linton	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Schilling	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Summers	Surface	Thompson	Townley	Treadway
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Green

PRESENT: 000

ABSENT WITH LEAVE: 018

Boykins	Burton	Days	Dougherty	Elliott
Gratz	Harlan	Holand	Kasten	Kelley 47
Lograsso	Miller	Monaco	Richardson	Scheve
Secrest	Stokan	Troupe		

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative George moved that motion lay on the table.

The latter motion prevailed.

HCS SB 996, relating to passing bad checks, was taken up by Representative Hosmer.

Representative Hosmer offered **HS HCS SB 996**.

Representative Kreider offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 996, Page 70, Section 491.076, Line 17, by inserting after all of said line the following:

"513.605. As used in sections 513.600 to [513.645] **513.653**, unless the context clearly indicates otherwise, the following terms mean:

- (1) (a) "Beneficial interest":
 - a. The interest of a person as a beneficiary under any other trust arrangement pursuant to which a trustee holds legal or record title to real property for the benefit of such person; or
 - b. The interest of a person under any other form of express fiduciary arrangement pursuant to which any other person holds legal or record title to real property for the benefit of such person;
- (b) "Beneficial interest" does not include the interest of a stockholder in a corporation or the interest of a partner in either a general partnership or limited partnership. A beneficial interest shall be deemed to be located where the real property owned by the trustee is located;
- (2) "Civil proceeding", any civil suit commenced by an investigative agency under any provision of sections 513.600 to [513.645] **513.653**;
- (3) "Criminal activity" is the commission, attempted commission, conspiracy to commit, or the solicitation, coercion or intimidation of another person to commit any crime which is chargeable by indictment or information under the following Missouri laws:
 - (a) Chapter 195, RSMo, relating to drug regulations;
 - (b) Chapter 565, RSMo, relating to offenses against the person;
 - (c) Chapter 566, RSMo, relating to sexual offenses;
 - (d) Chapter 568, RSMo, relating to offenses against the family;
 - (e) Chapter 569, RSMo, relating to robbery, arson, burglary and related offenses;
 - (f) Chapter 570, RSMo, relating to stealing and related offenses;
 - (g) Chapter 567, RSMo, relating to prostitution;
 - (h) Chapter 573, RSMo, relating to pornography and related offenses;
 - (i) Chapter 574, RSMo, relating to offenses against public order;
 - (j) Chapter 575, RSMo, relating to offenses against the administration of justice;
 - (k) Chapter 491, RSMo, relating to witnesses;
 - (l) Chapter 572, RSMo, relating to gambling;
 - (m) Chapter 311, RSMo, but relating only to felony violations of this chapter committed by persons not duly licensed by the supervisor of liquor control;
 - (n) Chapter 571, RSMo, relating to weapons offenses;
 - (o) Chapter 409, RSMo, relating to regulation of securities;
 - (p) Chapter 301, RSMo, relating to registration and licensing of motor vehicles;
- (4) "Criminal proceeding", any criminal prosecution commenced by an investigative agency under any criminal law of this state;
- (5) "Investigative agency", the attorney general's office, or the office of any prosecuting attorney or circuit attorney;
- (6) "Pecuniary value":
 - (a) Anything of value in the form of money, a negotiable instrument, a commercial interest, or anything else the primary significance of which is economic advantage; or
 - (b) Any other property or service that has a value in excess of one hundred dollars;
- (7) "Real property", any estate or legal or equitable interest in land situated in this state or any interest in such real property, including, but not limited to, any lease or deed of trust upon such real property;
- (8) **"Seizing agency", the agency which is the primary employer of the officer or agent seizing the property, including any agency in which one or more of the employees acting on behalf of the seizing agency is employed by the state of Missouri or any political subdivision of this state;**
- (9) **"Seizure", the point at which any law enforcement officer or agent discovers and exercises any control over property that an officer or agent has reason to believe was used or intended for use in the course of, derived from, or realized through criminal activity. Seizure includes but is not limited to preventing anyone found in possession of the property from leaving the scene of the investigation while in possession of the property;**
- (10) (a) "Trustee":
 - a. Any person who holds legal or record title to real property for which any other person has a beneficial interest;or
 - b. Any successor trustee or trustees to any of the foregoing persons;
- (b) "Trustee" does not include the following:

a. Any person appointed or acting as a personal representative under chapter 475, RSMo, or under chapter 473, RSMo;

b. Any person appointed or acting as a trustee of any testamentary trust or as trustee of any indenture of trust under which any bonds are or are to be issued.

513.607. 1. All property of every kind, **including cash or other negotiable instruments**, used or intended for use in the course of, derived from, or realized through criminal activity is subject to civil forfeiture. Civil forfeiture shall be had by a civil procedure known as a CAFA forfeiture proceeding.

2. A CAFA forfeiture proceeding shall be governed by the Missouri rules of court, rules of civil procedure, except to the extent that special rules of procedure are stated herein.

3. Any property seized by a law enforcement officer or agent shall not be disposed of pursuant to section 542.301, RSMo, or by the uniform disposition of unclaimed property act, sections 447.500 through 447.595, RSMo, unless a CAFA forfeiture proceeding is unsuccessful.

4. In cases where the property is abandoned or unclaimed, an in rem CAFA forfeiture proceeding may be instituted by petition by the prosecuting attorney of the county in which the property is located or seized by the attorney general's office. The proceeding may be commenced before or after seizure of the property.

[4.] **5.** In lieu of, or in addition to, an in rem proceeding under subsection [3] **4** of this section, the prosecuting attorney or attorney general may bring an in personam action for the forfeiture of property, which may be commenced by petition before or after the seizure of property.

[5.] **6.** (1) If the petition is filed before seizure, it shall state what property is sought to be forfeited, that the property is within the jurisdiction of the court, the grounds for forfeiture, and the names of all persons known to have or claim an interest in the property. The court shall determine ex parte whether there is reasonable cause to believe that the property is subject to forfeiture and that notice to those persons having or claiming an interest in the property prior to seizure would cause the loss or destruction of the property. If the court finds that reasonable cause does not exist to believe the property is subject to forfeiture, it shall dismiss the proceeding. If the court finds that reasonable cause does exist to believe the property is subject to forfeiture but there is not reasonable cause to believe that prior notice would result in loss or destruction, it shall order service on all persons known to have or claim an interest in the property prior to a further hearing on whether a writ of seizure should issue. If the court finds that there is reasonable cause to believe that the property is subject to forfeiture and to believe that prior notice would cause loss or destruction, it shall without any further hearing or notice issue a writ of seizure directing the sheriff of the county or other authorized law enforcement agency where the property is found to seize it.

(2) Seizure may be effected by a law enforcement officer authorized to enforce the criminal laws of this state prior to the filing of the petition and without a writ of seizure if the seizure is incident to a lawful arrest, search, or inspection and the officer has probable cause to believe the property is subject to forfeiture and will be lost or destroyed if not seized. Within four days of the date of seizure, such seizure shall be reported by said officer to the prosecuting attorney of the county in which the seizure is effected or the attorney general; and if in the opinion of the prosecuting attorney or attorney general forfeiture is warranted, the prosecuting attorney or attorney general shall, within ten days after receiving notice of seizure, file a petition for forfeiture. The petition shall state, in addition to the information required in subdivision (1) of this subsection, the date and place of seizure. The burden of proof will be on the investigative agency to prove all allegations contained in the petition.

[6.] **7.** After the petition is filed or the seizure effected, whichever is later, every person known to have or claim an interest in the property shall be served, if not previously served, with a copy of the petition and a notice of seizure in the manner provided by the Missouri rules of court and rules of civil procedure. Service by publication may be ordered upon any party whose whereabouts cannot be determined or if there be unknown parties.

[7.] **8.** The prosecuting attorney or attorney general to whom the seizure is reported shall report annually by January thirty-first for the previous calendar year all seizures. Such report shall include the date, time, and place of seizure, the property seized, the estimated value of the property seized, the person or persons from whom the property was seized, the criminal charges filed, and the disposition of the seizure, forfeiture and criminal actions. The report shall be made to the director of the Missouri department of public safety and shall be considered an open record. **The prosecuting attorney or attorney general shall submit a copy of the report to the state auditor at the time the report is made to the director of the department of public safety.**

9. The state auditor shall make an annual report compiling the data received from law enforcement, prosecuting attorneys and the attorney general, and shall submit the report regarding seizures for the previous calendar year to the general assembly annually by February twenty-eighth.

10. Intentional or knowing failure to comply with any reporting requirement contained in this section shall be a class A misdemeanor, punishable by a fine of up to one thousand dollars."; and

Further amend said bill, Page 70, Section 491.076, Line 17, by inserting after all of said line the following:

"513.647. 1. No state or local law enforcement agency may transfer any property seized by the state or local agency to any federal agency for forfeiture under federal law until the prosecuting attorney and the circuit judge of the county in which the property was seized first review the seizure and approve the transfer to a federal agency, **regardless of the identity of the seizing agency**. The prosecuting attorney and the circuit judge shall not approve any transfer unless it reasonably appears the activity giving rise to the investigation or seizure involves more than one state or the nature of the investigation or seizure would be better pursued under federal forfeiture statutes. No transfer shall be made to a federal agency unless the violation would be a felony under Missouri law or federal law.

2. Prior to transfer, in an ex parte proceeding, the prosecuting attorney shall file with the court a statement setting forth the facts and circumstances of the event or occurrence which led to the seizure of the property and the parties involved, if known. The court shall certify the filing, and notify by mailing to the last known address of the property owner that his property is subject to being transferred to the federal government and further notify the property owner of his right to file a petition stating legitimate grounds for challenging the transfer. If within ninety-six hours after the filing of the statement by the prosecuting attorney, the property owner by petition shows by a preponderance of the evidence that the property should not be transferred to the federal government for forfeiture, the court shall delay such transfer until a hearing may be held. If the court orders a delay in transfer, no later than ten days after the filing of a petition under this section and sections 513.649 and 513.651, a hearing shall be held unless the court deems, for good cause shown, that a continuance should be granted. At the hearing, if the prosecutor has proved by a preponderance of the evidence that the investigation or seizure involved more than one state or that the nature of the investigation or seizure would be better pursued under the federal forfeiture statutes, the court shall order that the transfer shall be made."; and

Further amend said bill, Page 70, Section 491.076, Line 17, by inserting after all of said line the following:

"513.653. **1.** Law enforcement agencies involved in using the federal forfeiture system under federal law shall be required at the end of their respective fiscal year to acquire an independent audit of the federal seizures and the proceeds received therefrom and provide this audit to their respective governing body. A copy of such audit shall be provided to the state auditor's office. This audit shall be paid for out of the proceeds of such federal forfeitures.

2. Intentional or knowing failure to comply with the audit requirement contained in this section shall be a class A misdemeanor, punishable by a fine of up to one thousand dollars."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Scheve resumed the Chair.

Representative Crump moved the previous question on the motion to adopt **House Amendment No. 1.**

Which motion was adopted by the following vote:

AYES: 083

Abel	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Liese

Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Robirds	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 068

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kelley 47	King
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkemeyer	Marble	McClelland	Murphy
Myers	Naeger	Nordwald	Ostmann	Patek
Phillips	Pouche 30	Purgason	Reid	Reinhart
Richardson	Ridgeway	Ross	Sallee	Schwab
Scott	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Burton	Holand	Kasten	Klindt
Lawson	Miller	Pryor	Secrest	Stokan

VACANCIES: 002

On motion of Representative Kreider, **House Amendment No. 1** was adopted by the following vote:

AYES: 096

Abel	Auer	Backer	Barnett	Bartelsmeyer
Bartle	Black	Bonner	Boucher 48	Boykins
Brooks	Champion	Cierpiot	Clayton	Curls
Davis 122	Davis 63	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Gambaro	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hanaway	Hartzler 123	Hegeman	Hickey
Hilgemann	Hollingsworth	Hoppe	Kelley 47	Kelly 27
King	Klindt	Kreider	Lakin	Lawson
Levin	Liese	Lograsso	Long	Loudon
Luetkemeyer	May 108	McBride	McClelland	McLuckie
Merideth	Monaco	Murray	Myers	Nordwald
O'Connor	O'Toole	Overschmidt	Patek	Pouche 30
Pryor	Ransdall	Reinhart	Ridgeway	Riley
Rizzo	Robirds	Ross	Schilling	Secrest
Seigfreid	Selby	Shields	Skaggs	Summers
Surface	Thompson	Treadway	Troupe	Tudor
Vogel	Ward	Wiggins	Williams 159	Wilson 42
Mr. Speaker				

NOES: 055

Akin	Alter	Ballard	Barry 100	Bennett
Berkowitz	Berkstresser	Blunt	Boatright	Bray 84
Britt	Campbell	Chrismer	Crawford	Crump

Days	Froelker	Gaskill	Griesheimer	Gross
Hampton	Harlan	Hartzler 124	Hendrickson	Hohulin
Hosmer	Howerton	Kasten	Kennedy	Kissell
Koller	Linton	Luetkenhaus	Marble	Mays 50
McKenna	Murphy	Naeger	Ostmann	Parker
Phillips	Purgason	Relford	Reynolds	Sallee
Schwab	Scott	Shelton	Smith	Townley
Van Zandt	Wagner	Williams 121	Wilson 25	Wright

PRESENT: 003

Dolan	Holand	Reid
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ABSENT WITH LEAVE: 007

Burton	Elliott	Legan	Miller	Richardson
Scheve	Stokan			

VACANCIES: 002

Representative Smith offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 996, Page 151, Section 577.020, Line 7 of said page, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit, a felony offense of chapter 566, RSMo; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit one or more of the following offenses: kidnapping; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; incest; abuse of a child; used a child in a sexual performance; or promoting sexual performance by a child; and committed or attempted to commit the offense against a victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under [seventeen] **eighteen** years of age; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any person who is a resident of this state [who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere in any other state or under federal jurisdiction to committing, or attempting to commit, an offense which, if committed in this state, would be a felony violation of chapter 566, RSMo, or a felony violation of any offense listed in subdivision (2) of this subsection] **and has been or is required to register in another state or has been or is required to register under federal or military law; or**

(6) **Any person who has been or is required to register in another state or has been or is required to register under federal or military law and who works or attends school or training on a full-time or on a part-time basis in Missouri. Part-time in this subdivision means for more than fourteen days in any twelve-month period.**

2. Any person to whom sections 589.400 to 589.425 applies shall, within ten days of coming into any county, register with the chief law enforcement official of the county in which such person resides. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town or village law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town or village law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 to 589.425 are lifetime registration requirements

unless all offenses requiring registration are reversed, vacated or set aside or unless the registrant is pardoned of the offenses requiring registration.

589.410. 1. The chief law enforcement official shall forward the completed offender registration form to the [central repository] within [ten] **three** days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system upon inquiry.

2. The department of public safety shall develop and maintain a system for making the registry of persons who have pled guilty to or been convicted of a third or subsequent sexual offense requiring registration, and have demonstrated predatory behavior, available on its Internet web site. Notwithstanding the provisions of section 589.417 to the contrary, the information to be available on the Internet shall include the person's name; date of birth; address of residence; crime which requires registration; whether such person was sentenced as a predatory or persistent sexual offender pursuant to section 558.018, RSMo, date, place and brief description of such crime; of such conviction or plea regarding such crime; age and gender of the victim at the time of the offense; photograph, and such other information as the department of public safety may determine is necessary to preserve public safety. The system shall be secure and not capable of being altered except by or through the department of public safety.

3. The information shall be removed from the Internet after twenty years unless the offender has pled guilty to or been found guilty of a sexual offense pursuant to chapter 566, RSMo, during such time period.

589.414. 1. If any person required by sections 589.400 to 589.425 to register changes residence or address within the same county as such person's previous address, the person shall inform the chief law enforcement official in writing within ten days of such new address and phone number, if the phone number is also changed.

2. If any person required by [section] **sections 589.400 to 589.425** to register changes such person's residence or address to a different county, the person shall **appear in person and shall** inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county having jurisdiction over the new residence or address in writing within ten days, of such new address and phone number, if the phone number is also changed. **If any person required by sections 589.400 to 589.425 to register changes their state of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state having jurisdiction over the new residence or address within ten days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county where the person was previously registered shall promptly inform the Missouri state highway patrol of the change. When the registrant is changing the residence to a new state, the Missouri state highway patrol shall promptly inform the responsible official in the new state of residence.**

3. Any person required by sections 589.400 to 589.425 to register who officially changes such person's name shall inform the chief law enforcement officer of such name change within seven days after such change is made.

4. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall [contact] **report in person to** the county law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

- (1) Any offender registered as a predatory or persistent sexual offender **as defined in section 558.018, RSMo;**
- (2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and
- (3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

5. In addition to the requirements of subsections 1 and 2 of this section, all registrants shall report annually in person in the month of their birth to the county law enforcement agency to verify the information contained in their statement made pursuant to section 589.407.

6. In addition to the requirements of subsections 1 and 2 of this section, all Missouri registrants who work or attend school or training on a full-time or part-time basis in any other state shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than fourteen days in any twelve-month period.

589.425. 1. Any person who is required to register pursuant to sections 589.400 to 589.425 and[:

- (1) Includes any false information in such person's registration statement; or
- (2) Fails to register; or
- (3) Fails to timely verify registration information pursuant to section 589.414;] **does not meet all**

requirements of sections 589.400 to 589.425 is guilty of a class A misdemeanor.

2. Any person who commits a second or subsequent violation of subsection 1 of this section is guilty of a class D felony.

595.045. 1. There is established in the state treasury the "Crime Victims' Compensation Fund". A surcharge of [five] **ten** dollars shall be assessed as costs in each court proceeding filed in any court in the state in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of [five] **ten** dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031, RSMo.

2. Notwithstanding any other provision of law to the contrary, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with [section 514.015] **sections 488.010 to 488.020**, RSMo, and shall be payable to the director of the department of revenue.

3. The director of revenue shall deposit annually the amount of two hundred fifty thousand dollars to the state forensic laboratory account administered by the department of public safety to provide financial assistance to defray expenses of crime laboratories if such analytical laboratories are registered with the federal Drug Enforcement Agency or the Missouri department of health. Subject to appropriations made therefor, such funds shall be distributed by the department of public safety to the crime laboratories serving the courts of this state making analysis of a controlled substance or analysis of blood, breath or urine in relation to a court proceeding.

[3.] 4. The remaining funds collected [under] **pursuant to** subsection 1 of this section shall be **devoted to the payment of an annual appropriation for the administrative and operational costs of the office for victims of crime and, if a statewide automated crime victim notification system, which may include Internet capabilities, is established pursuant to subsection 3 of section 650.310, RSMo, to the monthly payment of expenditures actually incurred in the operation of such system. Additional remaining funds shall be** subject to the following provisions:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100;

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100;

[4.] 5. The director of revenue or such director's designee shall at least monthly report the moneys paid pursuant to this section into the crime victims' compensation fund and the services to victims fund to the division of workers' compensation and the department of public safety, respectively.

[5.] 6. The moneys collected by clerks of municipal courts pursuant to subsection 1 of this section shall be collected and disbursed as provided by [section 514.015] **sections 488.010 to 488.020**, RSMo. Five percent of such moneys shall be payable to the city treasury of the city from which such funds were collected. The remaining ninety-five percent of such moneys shall be payable to the director of revenue. The funds received by the director of revenue pursuant to this subsection shall be distributed as follows:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available exceeds one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050

and 595.055, then the director of revenue or the director's designee shall deposit fifty percent to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100;

(3) Beginning on October 1, 1996, and on the first of each month, if the balance of the funds available is less than one million dollars plus one hundred percent of the previous twelve months' actual expenditures, excluding the immediate past calendar month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the director of revenue or the director's designee shall deposit seventy-five percent to the credit of the crime victims' compensation fund and twenty-five percent to the services to victims' fund established in section 595.100.

[6.] **7.** These funds shall be subject to a biennial audit by the Missouri state auditor. Such audit shall include all records associated with crime victims' compensation funds collected, held or disbursed by any state agency.

[7.] **8.** In addition to the moneys collected pursuant to subsection 1 of this section, the court shall enter a judgment in favor of the state of Missouri, payable to the crime victims' compensation fund, of sixty-eight dollars if the conviction is for a class A or B felony; forty-six dollars if the conviction is for a class C or D felony; and ten dollars if the conviction is for any misdemeanor [under] **pursuant to** the following Missouri laws:

- (1) Chapter 195, RSMo, relating to drug regulations;
- (2) Chapter 311, RSMo, but relating only to felony violations of this chapter committed by persons not duly licensed by the supervisor of liquor control;
- (3) Chapter 491, RSMo, relating to witnesses;
- (4) Chapter 565, RSMo, relating to offenses against the person;
- (5) Chapter 566, RSMo, relating to sexual offenses;
- (6) Chapter 567, RSMo, relating to prostitution;
- (7) Chapter 568, RSMo, relating to offenses against the family;
- (8) Chapter 569, RSMo, relating to robbery, arson, burglary and related offenses;
- (9) Chapter 570, RSMo, relating to stealing and related offenses;
- (10) Chapter 571, RSMo, relating to weapons offenses;
- (11) Chapter 572, RSMo, relating to gambling;
- (12) Chapter 573, RSMo, relating to pornography and related offenses;
- (13) Chapter 574, RSMo, relating to offenses against public order;
- (14) Chapter 575, RSMo, relating to offenses against the administration of justice;
- (15) Chapter 577, RSMo, relating to public safety offenses. Any clerk of the court receiving moneys pursuant to such judgments shall collect and disburse such crime victims' compensation judgments in the manner provided by [section 514.015] **sections 488.010 to 488.020**, RSMo. Such funds shall be payable to the state treasury and deposited to the credit of the crime victims' compensation fund.

[8.] **9.** The clerk of the court processing such funds shall maintain records of all dispositions described in subsection 1 of this section and all dispositions where a judgment has been entered against a defendant in favor of the state of Missouri in accordance with this section; all payments made on judgments for alcohol-related traffic offenses; and any judgment or portion of a judgment entered but not collected. These records shall be subject to audit by the state auditor. The clerk of each court transmitting such funds shall report separately the amount of dollars collected on judgments entered for alcohol-related traffic offenses from other crime victims' compensation collections or services to victims collections.

[9.] **10.** The clerks of the court shall report all delinquent payments to the department of revenue by October first of each year for the preceding fiscal year, and such sums may be withheld pursuant to subsection [14] **15** of this section.

[10.] **11.** The department of revenue shall maintain records of funds transmitted to the crime victims' compensation fund by each reporting court and collections pursuant to subsection [17] **18** of this section and shall maintain separate records of collection for alcohol-related offenses.

[11.] **12.** Notwithstanding any other provision of law to the contrary, the provisions of subsections [8 and] 9 **and 10** of this section shall expire and be of no force and effect upon the effective date of the supreme court rule adopted pursuant to [section 514.015] **sections 488.010 to 488.020**, RSMo.

[12.] **13.** The state courts administrator shall include in the annual report required by section 476.350, RSMo, the circuit court caseloads and the number of crime victims' compensation judgments entered.

[13.] **14.** All awards made to injured victims [under] **pursuant to** sections 595.010 to 595.105 and all appropriations for administration of sections 595.010 to 595.105, except sections 595.050 and 595.055, shall be made from the crime victims' compensation fund. Any unexpended balance remaining in the crime victims' compensation

fund at the end of each biennium shall not be subject to the provision of section 33.080, RSMo, requiring the transfer of such unexpended balance to the ordinary revenue fund of the state, but shall remain in the crime victims' compensation fund. In the event that there are insufficient funds in the crime victims' compensation fund to pay all claims in full, all claims shall be paid on a pro rata basis. If there are no funds in the crime victims' compensation fund, then no claim shall be paid until funds have again accumulated in the crime victims' compensation fund. When sufficient funds become available from the fund, awards which have not been paid shall be paid in chronological order with the oldest paid first. In the event an award was to be paid in installments and some remaining installments have not been paid due to a lack of funds, then when funds do become available that award shall be paid in full. All such awards on which installments remain due shall be paid in full in chronological order before any other postdated award shall be paid. Any award pursuant to this subsection is specifically not a claim against the state, if it cannot be paid due to a lack of funds in the crime victims' compensation fund.

[14.] **15.** When judgment is entered against a defendant as provided in this section and such sum, or any part thereof, remains unpaid, there shall be withheld from any disbursement, payment, benefit, compensation, salary, or other transfer of money from the state of Missouri to such defendant an amount equal to the unpaid amount of such judgment. Such amount shall be paid forthwith to the crime victims' compensation fund and satisfaction of such judgment shall be entered on the court record. Under no circumstances shall the general revenue fund be used to reimburse court costs or pay for such judgment. The director of the department of corrections shall have the authority to pay into the crime victims' compensation fund from an offender's compensation or account the amount owed by the offender to the crime victims' compensation fund, provided that the offender has failed to pay the amount owed to the fund prior to entering a correctional facility of the department of corrections.

[15.] **16.** All interest earned as a result of investing funds in the crime victims' compensation fund shall be paid into the crime victims' compensation fund and not into the general revenue of this state.

[16.] **17.** Any person who knowingly makes a fraudulent claim or false statement in connection with any claim hereunder is guilty of a class A misdemeanor.

[17.] **18.** Any gifts, contributions, grants or federal funds specifically given to the division for the benefit of victims of crime shall be credited to the crime victims' compensation fund. Payment or expenditure of moneys in such funds shall comply with any applicable federal crime victims' compensation laws, rules, regulations or other applicable federal guidelines."; and

Further amend said bill, Page 153, Section 610.120, Line 21 of said page, by inserting after all of said line the following:

"650.300. As used in sections 650.300 to 650.310, the following terms shall mean:

- (1) "Catastrophic crime", a violation of section 569.070, RSMo;**
- (2) "Office", the office for victims of crime;**
- (3) "Private agency", a private agency as defined in section 590.010, RSMo;**
- (4) "Public agency", a public agency as defined in section 590.010, RSMo;**
- (5) "Victim of crime", a person afforded rights as a victim or entitled to compensation or services as a victim pursuant to chapter 595, RSMo.**

650.310. 1. The "Office for Victims of Crime" is hereby created within the department of public safety for the purpose of promoting the fair and just treatment of victims of crime, including victims of computer crimes. The office shall coordinate and promote the state's program for victims of crime and shall provide channels of communication among public and private agencies regarding their interrelation in the provision of victim services and other issues related to victims of crime. The office may directly assist victims of crime in seeking services and in exercising the rights afforded to victims of crime pursuant to chapter 595, RSMo, and the Missouri Constitution. In the event of a catastrophic crime, the office shall develop and coordinate the implementation of a response plan to meet the needs of any resulting victims of crime.

2. The department of corrections shall cooperate with the office for victims of crime in the establishment of a system to reimburse victims of crime for attending parole hearings. The office may reimburse a person for the costs of mileage and lost wages incurred by attendance at a parole hearing arising from a crime directly responsible for such person's status as a victim of crime.

3. The office for victims of crime shall assess and report to the governor the costs and benefits of establishing a statewide automated crime victim notification system within the criminal justice system and shall serve as the coordinating agency for the development, implementation, and maintenance of any such system.

When the fiscal resources are available, the system may include Internet computer capabilities.

4. The department of public safety may promulgate reasonable rules to meet the objectives of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Smith, **House Amendment No. 2** was adopted by the following vote:

AYES: 141

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Days
Dolan	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Griesheimer	Gross
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kelly 27	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	Merideth	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 42	Wright
Mr. Speaker				

NOES: 007

Davis 63	Gunn	Kennedy	McLuckie	Murphy
Schilling	Wilson 25			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bennett	Britt	Burton	Dougherty	Elliott
Green	Kasten	Lograsso	Marble	Miller
Pryor	Scheve	Stokan		

VACANCIES: 002

Representative Levin offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 996, Page 3, Section 1.160, Line 1, by inserting at the end of said section the following:

- "32.091. 1. As used in sections 32.090 and 32.091, the following terms mean:
- (1) "Motor vehicle record", any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration or identification card issued by the department of revenue;
 - (2) "Person", an individual, organization or entity, but does not include a state or agency thereof;
 - (3) "Personal information", information that identifies an individual, including an individual's photograph, Social Security number, driver identification number, name, address, but not the five-digit zip code, telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations and driver's status.
2. The department of revenue may disclose individual motor vehicle records pursuant to section 2721(b)(11) of Title 18 of the United States Code and may disclose motor vehicle records in bulk pursuant to section 2721(b)(12) of Title 18 of the United States Code in the manner prescribed in this section. The department shall provide to all individuals for which such records are maintained a method by which an individual may prohibit personal information in such individual's records from being disclosed pursuant to this section.
3. A notice that the personal information may be disclosed pursuant to this section and a notice of an individual's right to prohibit such disclosure shall be printed on all forms for issuance or renewal of motor vehicle titles and registrations prescribed in chapter 301, RSMo, and forms for issuance or renewal of motor vehicle operator's permits, licenses and personal identification cards issued pursuant to chapter 302, RSMo, in a clear and conspicuous manner. In addition, with respect to bulk disclosures, the department shall ensure that the personal information disclosed shall be used, rented or sold solely for bulk distribution for surveys, marketing and solicitations, and that such surveys, marketing and solicitations shall not be directed at individuals who have notified the department in a timely manner that they do not want the personal information contained in motor vehicle records disclosed.
4. Notwithstanding any other provision of law to the contrary, the department of revenue shall disclose any motor vehicle record or personal information permitted to be disclosed pursuant to sections 2721(b)(1) to 2721(b)(10) and 2721(b)(13) to 2721(b)(14) of Title 18 of the United States Code.
5. Pursuant to section 2721(b)(14) of Title 18 of the United States Code, any person who has a purpose to disseminate to the public a newspaper, book, magazine, broadcast or other similar form of public communication, including dissemination by computer or other electronic means, may request the department to provide individual or bulk motor vehicle records, such dissemination being related to the operation of a motor vehicle or to public safety. Upon receipt of such request, the department shall release the requested motor vehicle records. It is the public policy of this state that records be open to the public unless otherwise provided by law. The disclosure provisions of this section shall be liberally construed and the exemptions strictly construed to promote this public policy.
- 6. The department of revenue shall not provide any information on an operator's license issued pursuant to chapter 302, RSMo, except as provided in section 194.240, RSMo, section 302.181, RSMo, or section 302.740, RSMo, or otherwise provided by statute.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Levin, **House Amendment No. 3** was adopted.

Representative Ward offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 996, Page 157, Section 6, Line 22, by inserting at the end of said section the following:

“Section 7. Notwithstanding the provisions of section 56.360, the prosecuting attorney of any county of the fourth classification with a population of at least forty-eight thousand and not more than fifty thousand inhabitants shall devote full time to the prosecutor’s office, and, except for the performance of official duties, shall not engage in the practice of law.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ward, **House Amendment No. 4** was adopted.

Representative Patek offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 996, Page 61, Section 221.407, by inserting after said section the following:

"221.232. 1. No private person, corporation, partnership, business, association or other entity shall own or operate any jail within this state without meeting all of the requirements set forth in subsection 2 of this section. Neither shall any political subdivision contract with any private entity for the keeping of any person in a jail within this state unless the facility meets all of the requirements set forth in subsection 2 of this section. As used in this section, the term "jail" means a place of criminal confinement for pretrial defendants, persons sentenced to less than one year, and persons awaiting revocation disposition.

2. No private provider may acquire land or otherwise establish a presence in a community for the establishment of a jail unless all of the following requirements have been accomplished and documented. The private provider shall furnish:

(1) To local law enforcement agencies, hospital services and fire districts in the area affected formal written notification of the intent to establish a private jail prior to a public hearing;

(2) In the area affected a well-publicized hearing open to the public shall be held;

(3) Submission of an operational plan to the affected city or county council or both and formal approval by the council of the plan. The plan would include but not be limited to:

(a) Maximum security classification of individuals to be confined, the facility's custody level and its maximum capacity;

(b) Internal and perimeter security commensurate with security level;

(c) Written plans concerning infectious and contagious diseases, fire, power failure, transportation, escapes, riots and other emergency and natural disaster situations;

(d) Environmental impact statement concerning the effect of the facility on the surrounding community;

(e) Other factors specified by the jurisdiction;

(4) Documentation of management's prerequisite qualifications and experience;

(5) Documentation of the private provider's ability to furnish indemnification for liability arising from the operation of the proposed private jail;

(6) Documentation of the private provider's ability to meet applicable court orders, correctional standards and constitutional requirements for jails;

(7) Documentation of accreditation by the American Jail Association or American Correctional Association and the National Commission on Correctional Health Care."; and

Further amend title and enacting clause accordingly.

Representative Williams (121) offered **House Substitute Amendment No. 1** for **House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 996, Page 61, Section 221.407, by inserting after said section the following:

"221.232. 1. No private person, corporation, partnership, business, association or other entity shall own or operate any jail within this state without meeting all of the requirements set forth in subsection 2 of this section. Neither shall any political subdivision contract with any private entity for the keeping of any person in a jail within this state unless the facility meets all of the requirements set forth in subsection 2 of this section. As used in this section, the term "jail" means a place of criminal confinement for pretrial defendants, persons sentenced to less than eighteen (18) months and persons awaiting revocation disposition.

2. No private provider may acquire land or otherwise establish a presence in a community for the establishment of a jail unless all of the following requirements have been accomplished and documented. The private provider shall furnish:

(1) To local law enforcement agencies, hospital services and fire districts in the area affected formal written notification of the intent to establish a private jail prior to a public hearing;

(2) In the area affected a well-publicized hearing open to the public shall be held;

(3) Submission of an operational plan to the affected city or county council or both and formal approval by the council of the plan. The plan would include but not be limited to:

(a) Maximum security classification of individuals to be confined, the facility's custody level and its maximum capacity;

(b) Internal and perimeter security commensurate with security level;

(c) Written plans concerning infectious and contagious diseases, fire, power failure, transportation, escapes, riots and other emergency and natural disaster situations;

(d) Environmental impact statement concerning the effect of the facility on the surrounding community;

(e) Other factors specified by the jurisdiction;

(4) Documentation of management's prerequisite qualifications and experience;

(5) Documentation of the private provider's ability to furnish indemnification for liability arising from the operation of the proposed private jail;

(6) Documentation of the private provider's ability to meet applicable court orders, correctional standards and constitutional requirements for jails;

(7) Documentation of accreditation by the American Jail Association or American Correctional Association and the National Commission on Correctional Health Care."; and

Further amend the title and enacting clause accordingly.

Representative Kissell raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 5** goes beyond the scope of the bill.

Representative Scheve requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Speaker Pro Tem Kreider resumed the Chair.

On motion of Representative Williams (121), **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted.

Representative Fraser offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 996, Page 139, Section 570.030, Line 21, by inserting the following at the end of said section:

“570.033. 1. Any person who, without lawful authority, willfully takes another's animal with the intent to deprive [him] **the other** of [his] **such** property is guilty of a class D felony.

2. Any person who knowingly misappropriates another's pet or a law enforcement or rescue animal with the intent to sell such pet is guilty of a class C felony.

3. Any person who knowingly purchases a stolen pet is guilty of a class C felony.

4. For the purposes of this section and section 570.035, "pet" means any domesticated animal, including those used for hunting and working stock, normally maintained in or near the household of the owner of such animal.

5. The department of public safety shall create a registry of missing or stolen pets. The department shall place such registry on the Internet to allow registration through the Internet and allow searches of the registry for animals listed as missing or stolen. Any person who has reported the loss of his or her pet to an appropriate law enforcement agency may register such pet with the department and shall include the date and place of the notification of an appropriate law enforcement agency and any of the pet's identifying features, tags, tattoos or electronic chips in such registry. The department may adopt rules to implement the provisions of this subsection. The department may charge a fee for registration that does not substantially exceed the cost of the program.

6. Any person purchasing a pet for research purposes shall examine such pet for identification markers and shall examine the missing or stolen pet registry. If the pet is found on the registry, the person shall contact the owner for verification. In the event the person believes that the pet may have been stolen, the person shall notify a department of law enforcement of the county in which the sale took place.

7. Any pet sold to a licensed dealer for research purposes shall be accompanied by a health certificate, issued by a licensed veterinarian, that includes all identifying features, tags, tattoos or electronic chips.

8. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

570.035. 1. No person shall knowingly remove any identification marker or tag from a stolen pet with the intent to sell such stolen pet.

2. Any person who violates the provisions of subsection 1 of this section is guilty of a class C felony.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Fraser, **House Amendment No. 6** was adopted.

Representative Summers offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No.996, Page 127, Section 565.084, Line 23, by inserting the following after all of said line:

“565.090. 1. A person commits the crime of harassment if for the purpose of frightening or disturbing another person, he

(1) Communicates [in writing or by telephone] **by any means** a threat to commit any felony; or

(2) [Makes a telephone call or communicates in writing and] Uses coarse language offensive to one of average sensibility **in the course of communicating to another person**; or

(3) [Makes a telephone call anonymously] **Communicates in a manner that does not reveal the person's identity**; or

(4) [Makes repeated telephone calls] **Repeatedly communicates to another person**.

2. Harassment is a class A misdemeanor **except that a violation of subdivision (1) or (4) of subsection 1 of this section is a class D felony**.”; and

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Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Summers, **House Amendment No. 7** was adopted.

On motion of Representative Hosmer, **HS HCS SB 996, as amended**, was adopted.

On motion of Representative Hosmer, **HS HCS SB 996, as amended**, was read the third time and passed by the following vote:

AYES: 142

Abel	Akin	Alter	Auer	Ballard
Barnett	Bennett	Berkowitz	Berkstresser	Black
Blunt	Boatright	Bonner	Boucher 48	Boykins
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Enz
Evans	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Sallee	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Summers	Surface	Thompson	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 004

Farnen	Gunn	Riley	Townley
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PRESENT: 000

ABSENT WITH LEAVE: 015

Backer	Barry 100	Bartelsmeyer	Bartle	Bray 84
Burton	Dougherty	Elliott	Legan	Miller
O'Toole	Richardson	Scheve	Smith	Stokan

VACANCIES: 002

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hoppe, title to the bill was agreed to.

Representative Graham (24) moved that the vote by which the bill passed be reconsidered.

Representative Monaco moved that motion lay on the table.

The latter motion prevailed.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 896**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for House Committee Substitute for Senate Bill No. 896, with House Amendments Nos. 1, 2, 3, 4, 5 and 6, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendments Nos. 8, 9, 10, 11 and 12, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 896, as amended; and
2. That the Senate recede from its position on Senate Bill No. 896; and
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 896 be adopted.

FOR THE HOUSE:

/s/ Christopher Liese
/s/ Brian May
/s/ Blaine Luetkemeyer
/s/ Ed Hartzler
/s/ Jim Kreider

FOR THE SENATE:

/s/ John Scott
/s/ Danny Staples
/s/ William Clay
/s/ Bill Kenney
/s/ David Klarich

CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 856

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Parts I, II, IV and V of House Substitute for House Committee Substitute for Senate Bill No. 856 with House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment No. 5 to Part I, House Amendment No. 1, House Amendment No. 2, House Substitute Amendment No. 1 for House Amendment 3, House Substitute Amendment for House Amendment No. 4, House Amendment No.5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, House Amendment No. 10, House Amendment No. 11 to Part II, House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, House Amendment No. 10 to Part IV, and House Amendment No. 1 to Part V, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 856, as amended; and
2. That the Senate recede from its position on Senate Bill No. 856; and
3. That the attached Conference Committee Amendment No. 1 be adopted; and
4. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 856, with Conference Committee Amendment No. 1 be adopted.

FOR THE HOUSE:

/s/ Tim Harlan
/s/ James Foley
/s/ Yvonne Wilson
/s/ Annie Reinhart
/s/ Charlie Shields

FOR THE SENATE:

/s/ Joe Maxwell
/s/ Harry Wiggins
/s/ Paula Carter
/s/ Marvin Singleton
/s/ Roseann Bentley

Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 856, Page 12, Section 376.383, Lines 20-23 of said page, by striking all of said lines and inserting in lieu thereof the following:

"(3) On or after April 1, 2001, that additional information is necessary to determine if all or part of the claim will be reimbursed and a complete description of all specific additional information that is necessary for the claim to be a clean claim."; and

Further amend said bill, Page 14, Section 376.383, Line 3 of said page, by inserting immediately after the closing bracket "]" the following: **"Effective April 1, 2001,"**; and

Further amend said bill, Page 14, Section 376.383, Lines 14-19 of said page, by striking all of said lines and inserting in lieu thereof the following:

"interest paid within the ten-day grace period. If the court finds that a violation of this section occurred before January 1, 2002, the court shall award to a prevailing plaintiff a penalty of twenty-five dollars per day beginning ten days following the date that interest pursuant to this section first becomes due, in addition to the claimed reimbursement and interest; unless the court finds that such violation occurred as a result of extreme circumstances beyond the control of the carrier. If the court finds that a violation of this section occurred on or after January 1, 2002, the court shall award to a prevailing plaintiff a penalty of fifty dollars per day beginning ten days following the date that interest pursuant to this section first becomes due, in addition to the claimed reimbursement and interest; unless the court finds that such violation occurred as a result of extreme circumstances beyond the control of the carrier."; and

Further amend said bill, Page 15, Section 376.384, Lines 6-9, by striking all of said lines and inserting in lieu thereof the following:

"electronically. Effective January 1, 2002, all claims which are filed for reimbursement with health carriers by health care providers and are submitted electronically shall be filed in a universal electronic claim form and format which is specified by the department of insurance. The department"; and

Further amend said bill, Page 22, Section 376.895, Lines 15-19 of said page, by striking all of said lines and inserting in lieu thereof the following:

"376.895. Any insurer providing coverage for a child with parents who are legally separated or divorced shall provide upon request information regarding covered benefits for such child to both parents regardless of whether the inquiring parent is the primary policyholder.".

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 858**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for House Committee Substitute for Senate Bill No. 858, with House Amendments Nos. 1 and 2, House Substitute Amendment No. 1 for House Amendment No. 3, Part 1 of House Amendment No. 4, Part 2 of House Amendment No. 4, House Amendment No. 5, House Substitute Amendment No. 1 for House Amendment No. 6, House Amendment No. 9, House Substitute Amendment No. 1 for House Amendment No. 10, House Amendments Nos. 11, 12, 13, 14 and 15, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 858, as amended; and
2. That the Senate recede from its position on Senate Bill No. 858; and
3. That the attached Conference Committee Amendment No. 1 be adopted; and
4. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 858, with Conference Committee Amendment No. 1, be adopted.

FOR THE HOUSE:

/s/ Phil Smith
/s/ Bill Skaggs
/s/ Ralph Monaco
/s/ Luann Ridgeway

FOR THE SENATE:

/s/ Joe Maxwell
/s/ Ed Quick
/s/ Lacy Clay
/s/ Larry Rohrbach
/s/ Steve Ehlmann

Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 858, Page 16, Section 610.027, Line 14 of said page, by inserting after the word “a” the word “**knowing**”.

BILL IN CONFERENCE

CCR HS HCS SB 896, as amended, relating to business organizations, was taken up by Representative May (108).

On motion of Representative May (108), **CCR HS HCS SB 896, as amended** was adopted by the following vote:

AYES: 146

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Britt
Brooks	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Enz	Evans
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kelley 47	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 007

Bray 84	Farnen	Harlan	Kelly 27	McLuckie
Murphy	Schilling			

PRESENT: 000

ABSENT WITH LEAVE: 008

Burton	Dolan	Elliott	Kasten	O'Connor
Richardson	Scheve	Stokan		

VACANCIES: 002

On motion of Representative May (108), **CCS HS HCS SB 896** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Britt
Brooks	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Evans	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz

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Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelley 47
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Ridgeway
Riley	Rizzo	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 008

Bray 84	Farnen	Harlan	Kelly 27	McLuckie
Murphy	Schilling	Van Zandt		

PRESENT: 000

ABSENT WITH LEAVE: 008

Burton	Elliott	Kasten	Luetkenhaus	Richardson
Sallee	Scheve	Stokan		

VACANCIES: 002

Speaker Pro Tem Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Abel	Auer	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Bonner	Boucher 48
Boykins	Britt	Brooks	Campbell	Champion
Chrismer	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Legan
Levin	Liese	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Pouche 30	Pryor	Purgason	Ransdall	Relford
Reynolds	Richardson	Riley	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs

Smith	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 42
Wright	Mr. Speaker			

NOES: 019

Akin	Boatright	Bray 84	Cierpiot	Farnen
Froelker	Hendrickson	Kelly 27	Linton	Lograsso
McLuckie	Murphy	Phillips	Reid	Reinhart
Ridgeway	Schilling	Van Zandt	Wilson 25	

PRESENT: 000

ABSENT WITH LEAVE: 005

Alter	Burton	Elliott	Sallee	Stokan
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VACANCIES: 002

On motion of Representative Thompson, title to the bill was agreed to.

Representative Koller moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

HCS SCS SB 842, relating to fire protection, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SCS SB 842**.

Representative Gibbons raised a point of order that **HS HCS SCS SB 842** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Scheve resumed the Chair.

Representative Williams (159) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 842, Page 18, Section 321.242, Line 9 of said page, by inserting after all of said line the following:

"321.246. 1. The governing body of any fire protection district which operates within both a county of the first classification with a charter form of government and with a population greater than six hundred thousand but less than nine hundred thousand and a county of the fourth classification with a population greater than thirty thousand but less than thirty-five thousand and that adjoins a county of the first classification with a charter form of government, or the governing body of any fire protection district which contains a city of the fourth classification having a population

greater than two thousand four hundred when the city is located in a county of the first classification without a charter form of government having a population greater than one hundred fifty thousand and the county contains a portion of a city with a population greater than three hundred fifty thousand may impose a sales tax in an amount of up to one-half of one percent on all retail sales made in such fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo. **In addition, the governing body of any fire protection district which is located in a county of the third classification may impose a sales tax in an amount of up to one percent on all retail sales made in such fire protection district which are subject to taxation pursuant to sections 144.010 to 144.525, RSMo.** The [tax] taxes authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the fire protection district submits to the voters of the fire protection district, at a county or state general, primary or special election, a proposal to authorize the governing body of the fire protection district to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the fire protection district of (district's name) impose a district-wide sales tax of for the purpose of providing revenues for the operation of the fire protection district?

G YES

G NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of the fire protection district resubmits a proposal to authorize the governing body of the fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by a fire protection district from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for the operation of the fire protection district.

4. All sales taxes collected by the director of revenue pursuant to this section on behalf of any fire protection district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in the fire protection district sales tax trust fund established pursuant to section 321.242. The moneys in the fire protection district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each fire protection district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the fire protection district and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the fire protection district which levied the tax. Such funds shall be deposited with the treasurer of each such fire protection district, and all expenditures of funds arising from the fire protection district sales tax trust fund shall be for the operation of the fire protection district and for no other purpose.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any fire protection district for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such fire protection districts. If any fire protection district abolishes the tax, the fire protection district shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such fire protection district, the director of revenue shall remit the balance in the account to the fire protection district and close the account of that fire protection district. The director of revenue shall notify each fire protection district of each instance of any amount refunded or any check redeemed from receipts due the fire protection district. In the event a tax within a fire protection district is approved under this section, and such fire protection district is dissolved, the tax shall lapse on the date that the fire protection district is dissolved and the proceeds from the last collection of such tax shall be distributed to the governing bodies of the counties formerly containing the fire protection district and the proceeds of the tax shall be used for fire protection services within such counties.

6. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Williams (159), **House Amendment No. 1** was adopted.

Speaker Gaw resumed the Chair.

Representative Shields offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 842, Page 12, Section 320.410, Line 14, by deleting Lines 14 and 15 of said section.

Representative Marble offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 842, Pages 9-12, Sections 320.400, 320.405, 320.407 and 320.410, by deleting all of said sections.

Representative Marble moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Shields moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Reid offered **House Amendment No. 3**.

Representative Hosmer raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Hoppe, **HS HCS SB 842, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS SCS SB 842, as amended**, was read the third time and passed by the following vote:

AYES: 140

Abel	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Bonner

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Boucher 48	Bray 84	Britt	Brooks	Campbell
Champion	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelly 27
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Vogel	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 009

Akin	Boatright	Chrismer	Cierpiot	Hendrickson
Kelley 47	Murphy	Pryor	Ridgeway	

PRESENT: 002

Boykins	Kennedy
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ABSENT WITH LEAVE: 010

Burton	Dougherty	Elliott	Gibbons	Harlan
Mays 50	Richardson	Stokan	Van Zandt	Wagner

VACANCIES: 002

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 130

Abel	Alter	Auer	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Blunt	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Champion
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hegeman	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Kasten	Kelly 27	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Legan
Levin	Liese	Linton	Lograsso	Loudon
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	O'Connor	O'Toole

Ostmann	Overschmidt	Parker	Patek	Pouche 30
Ransdall	Reid	Relford	Reynolds	Richardson
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Vogel	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 021

Akin	Black	Boatright	Chrismer	Cierpiot
Enz	Hartzler 124	Hendrickson	Hohulin	Howerton
Kelley 47	Long	Luetkemeyer	Murphy	Naeger
Phillips	Pryor	Purgason	Reinhart	Ridgeway
Schwab				

PRESENT: 001

Kennedy

ABSENT WITH LEAVE: 009

Ballard	Burton	Elliott	Harlan	Nordwald
Sallee	Stokan	Van Zandt	Wagner	

VACANCIES: 002

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Ward moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has receded from its position on **SCS HCS HBs 1386 & 1086, as amended**, and has taken up and passed **HCS HBs 1386 & 1086**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 763, as amended**, and has taken up and passed **CCS HCS SS SCS SB 763**.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 763**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, with House Amendments Nos. 2 and 3, House Substitute Amendment No. 1 for House Amendment No. 4, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendments Nos. 8 and 9, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763, as amended; and
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 763; and
3. The attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 763 be adopted.

FOR THE HOUSE:

/s/ Don Kissell
/s/ D. J. Davis
/s/ Steve McLuckie
/s/ Peter Myers
/s/ Bill Alter

FOR THE SENATE:

/s/ Jerry Howard
/s/ Ronnie DePasco
/s/ Joe Maxwell
/s/ Doyle Childers
/s/ David Klarich

BILL IN CONFERENCE

CCR HCS SS SCS SB 763, as amended, relating to telemarketing, was taken up by Representative Kissell.

On motion of Representative Kissell, **CCR HCS SS SCS SB 763, as amended**, was adopted by the following vote:

AYES: 101

Abel
Barry 100
Boykins

Alter
Berkowitz
Bray 84

Auer
Black
Britt

Backer
Bonner
Brooks

Barnett
Boucher 48
Campbell

Chrismer	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Farnen
Fitzwater	Foley	Franklin	Gambaro	George
Graham 106	Graham 24	Gratz	Green	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Kelley 47	Kelly 27	Kennedy	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Levin	Liese	Luetkemeyer	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Pouche 30	Ransdall	Reid	Relford	Reynolds
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Seigfreid	Selby	Skaggs
Surface	Thompson	Treadway	Troupe	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 051

Akin	Ballard	Bartelsmeyer	Bartle	Bennett
Berkstresser	Blunt	Boatright	Champion	Cierpiot
Crawford	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Griesheimer	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Howerton	Kasten
King	Legan	Linton	Lograsso	Long
Loudon	Marble	McClelland	Miller	Murphy
Patek	Phillips	Pryor	Purgason	Reinhart
Richardson	Ridgeway	Sallee	Scott	Secrest
Shields	Summers	Townley	Tudor	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 009

Burton	Elliott	Ford	Fraser	Shelton
Smith	Stokan	Van Zandt	Wagner	

VACANCIES: 002

On motion of Representative Kissell, **CCS HCS SS SCS SB 763** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Fitzwater	Foley	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland

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McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Summers	Surface	Thompson	Townley	Treadway
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Murphy Tudor

PRESENT: 000

ABSENT WITH LEAVE: 009

Burton	Elliott	Farnen	Ford	Sallee
Smith	Stokan	Troupe	Van Zandt	

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Days, title to the bill was agreed to.

Representative Britt moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SBs 678 & 742, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SCS SB 894, as amended**: Senators Quick, Johnson, Mathewson, Sims and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS#2 SCS SBs 934, 546, 578, 579 & 782, as amended**, and requests the House to recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SB 902, as amended**, and has taken up and passed **CCS HS HCS SS SB 902**.

BILL CARRYING REQUEST MESSAGE

HS HCS SS SCS SBs 678 & 742, as amended, relating to judicial and administrative procedure, was taken up by Representative May (108).

Representative May (108) moved that the House refuse to recede from its position on **HS HCS SS SCS SBs 678 & 742, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS HCS SS SCS SBs 678 & 742: Representatives May (108), Monaco, Clayton, Lograsso and Richardson

HOUSE BILL WITH SENATE AMENDMENTS

SS HS HCS HBs 1652 & 1433, as amended, relating to tobacco products, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to adopt **SS HS HCS HBs 1652 & 1433, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

HS HCS SS #2 SCS SBs 934, 546, 578, 579 & 782, as amended, relating to intoxication-related offenses, was taken up by Representative Hosmer.

Representative Hosmer moved that the House refuse to recede from its position on **HS HCS SS #2 SCS SBs 934, 546, 578, 579 & 782, as amended**, and grant the Senate a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS#2 SCS SBs 934, 546, 578, 579 & 782, as amended**: Senators Caskey, Quick, DePasco, Ehlmann and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SCS SBs 678 & 742, as amended**: Senators Schneider, Wiggins, Clay, Klarich and Ehlmann.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HS HCS HBs 1652 & 1433, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SS#3 SJR 35, as amended**, and has taken up and passed **CCS HCS SS SS#3 SJR 35**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS HS HCS HBs 1652 & 1433, as amended**: Senators Caskey, Scott, Mathewson, Russell and Bentley.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HS HCS SS #2 SCS SBs 934, 546, 578, 579 & 782: Representatives Hosmer, Parker, Schilling, Alter and Barnett

SS HS HCS HBs 1652 & 1433: Representatives Hoppe, Hollingsworth, Hosmer, Dolan and Griesheimer

THIRD READING OF SENATE BILLS

HCS SB 921, relating to professional registration, was taken up by Representative Treadway.

Representative Chrismer offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Treadway moved that **HCS SB 921** be adopted.

Which motion was defeated.

Representative Treadway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 921, Page 1, In the Title, Line 2, by inserting immediately after "**section**" the following: "**334.128, RSMo 1994, and section**"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting "**one new section**" and inserting in lieu thereof the following: "**two new sections**"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Section 334.128, RSMo 1994, and section 334.120, RSMo Supp. 1999, are repealed and two new sections enacted in lieu thereof, to be known as sections 334.120 and 334.128, to read as follows:"; and

Further amend said bill, Page 2, Section 334.120, Line 46, by inserting immediately after said line the following:

"334.128. Any person who reports or provides information to the board, or any person who assists the board, including, but not limited to, applicants or licensees who are the subject of an investigation, physicians serving on competency panels, medical record custodians, consultants, **physicians' health programs operated in this state approved by the board for impaired physicians and individuals working, consulting or participating in the physicians' health program**, attorneys, board members, agents, employees or expert witnesses, in the course of any investigation, hearing or other proceeding conducted by or before the board pursuant to the provisions of this chapter, **or based upon voluntary participation by the licensee in the physicians' health program or upon any stipulation or order of the board mandating the licensee to the physicians' health program**, and who does so in good faith and without malice shall not be subject to an action for civil damages as a result thereof, and no cause of action of any nature shall arise against him **or her**. The attorney general shall defend such persons in any such action or proceeding."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Treadway, **House Amendment No. 1** was adopted.

On motion of Representative Treadway, **SB 921, as amended**, was read the third time and passed by the following vote:

AYES: 145

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Bray 84	Britt
Brooks	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson

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Legan	Levin	Liese	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Miller
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Seigfreid	Selby
Shelton	Skaggs	Smith	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Murphy

PRESENT: 002

Boykins Curls

ABSENT WITH LEAVE: 013

Burton	Elliott	Harlan	Linton	Lograsso
McClelland	Monaco	Pryor	Ridgeway	Secrest
Shields	Stokan	Van Zandt		

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Boykins moved that motion lay on the table.

The latter motion prevailed.

SB 892, relating to reimbursement for state inmates, was taken up by Representative Crump.

Representative Crump offered **HS SB 892**.

On motion of Representative Crump, **HS SB 892** was adopted.

On motion of Representative Crump, **HS SB 892** was read the third time and passed by the following vote:

AYES: 147

Abel	Akin	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans

Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hampton	Hanaway
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hohulin	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Miller	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reid	Reinhart
Relford	Reynolds	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Gunn

PRESENT: 000

ABSENT WITH LEAVE: 013

Alter	Auer	Burton	Elliott	Farnen
Harlan	Hilgemann	Holand	Lograsso	McClelland
Monaco	Richardson	Stokan		

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Kennedy moved that the vote by which the bill passed be reconsidered.

Representative Kissell moved that motion lay on the table.

The latter motion prevailed.

HCS SS SCS SB 925, relating to agricultural advocate's office, was taken up by Representative Williams (159).

Representative Williams (159) offered **HS HCS SS SCS SB 925**.

Representative Williams (159) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 925, Page 5, Section 26.700, Line 4 of said page, by inserting after all of said line the following:

"32.105. As used in sections 32.100 to 32.125, the following terms mean:

(1) "Affordable housing assistance activities", money, real or personal property, or professional services expended or devoted to the construction, or rehabilitation of affordable housing units;

(2) "Affordable housing unit", a residential unit generally occupied by persons and families with incomes at or below the levels described in this subdivision and bearing a cost to the occupant no greater than thirty percent of the maximum eligible household income for the affordable housing unit. In the case of owner-occupied units, the cost to the occupant shall be considered the amount of the gross monthly mortgage payment, including casualty insurance, mortgage insurance, and taxes. In the case of rental units, the cost to the occupant shall be considered the amount of the gross rent. The cost to the occupant shall include the cost of any utilities, other than telephone. If any utilities are paid directly by the occupant, the maximum cost that may be paid by the occupant is to be reduced by a utility allowance prescribed by the commission. Persons or families are eligible occupants of affordable housing units if the household combined, adjusted gross income as defined by the commission is equal to or less than the following percentages of the median family income for the geographic area in which the residential unit is located, or the median family income for the state of Missouri, whichever is larger; ("geographic area" means the metropolitan area or county designated as an area by the federal Department of Housing and Urban Development under Section 8 of the United States Housing Act of 1937, as amended, for purposes of determining fair market rental rates):

Size of Household	Percent of State or Geographic Area Family Median Income
One Person	35%
Two Persons	40%
Three Persons	45%
Four Persons	50%
Five Persons	54%
Six Persons	58%
Seven Persons	62%
Eight Persons	66%

(3) "Business firm", person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state;

(4) "Commission", the Missouri housing development commission;

(5) "Community services", any type of counseling and advice, emergency assistance or medical care furnished to individuals or groups in the state of Missouri or transportation services at below-cost rates as provided in sections 208.250 to 208.275, RSMo;

(6) "Crime prevention", any activity which aids in the reduction of crime in the state of Missouri;

(7) "Defense industry contractor", a person, corporation or other entity which will be or has been negatively impacted as a result of its status as a prime contractor of the Department of Defense or as a second or third tier contractor. A "second tier contractor" means a person, corporation or other entity which contracts to perform manufacturing, maintenance or repair services for a prime contractor of the Department of Defense, and a "third tier contractor" means a person, corporation or other entity which contracts with a person, corporation or other entity which contracts with a prime contractor of the Department of Defense;

(8) "Doing business", among other methods of doing business in the state of Missouri, a partner in a firm or a shareholder in an S corporation shall be deemed to be doing business in the state of Missouri if such firm or S corporation, as the case may be, is doing business in the state of Missouri;

(9) "Economic development", the acquisition, renovation, improvement, or the furnishing or equipping of existing buildings and real estate in distressed or blighted areas of the state when such acquisition, renovation,

improvement, or the furnishing or equipping of the business development projects will result in the creation or retention of jobs within the state; or, until June 30, 1996, a defense conversion pilot project located in a standard metropolitan statistical area which contains a city with a population of at least three hundred fifty thousand inhabitants, which will assist Missouri-based defense industry contractors in their conversion from predominately defense-related contracting to nondefense-oriented manufacturing. Only neighborhood organizations, as defined in subdivision (13) of this section, may apply to conduct economic development projects. Prior to the approval of an economic development project, the neighborhood organization shall enter into a contractual agreement with the department of economic development. Credits approved for economic development projects may not exceed four million dollars from within any one fiscal year's allocation. Neighborhood assistance program tax credits for economic development projects and affordable housing assistance as defined in section 32.111, may be transferred, sold or assigned by a notarized endorsement thereof naming the transferee;

(10) "Education", any type of scholastic instruction or scholarship assistance to an individual who resides in the state of Missouri that enables the individual to prepare himself or herself for better opportunities or community awareness activities rendered by a statewide organization established for the purpose of archeological education and preservation;

(11) **"Eligible farmer's market", a group of farmers, each of whom farms agricultural land located within this state which he or she rents or owns, and who have formed a group for the purpose of allowing each member farmer to sell his or her products derived from his or her farming activities to the public at a common structure or building when at least fifty percent of the costs of such structure or building are paid for by such group of farmers;**

(12) **"Eligible new generation cooperative", as defined in section 348.340, RSMo;**

(13) "Homeless assistance pilot project", the program established pursuant to section 32.117;

[(12)] (14) "Job training", any type of instruction to an individual who resides in the state of Missouri that enables the individual to acquire vocational skills so that the individual can become employable or be able to seek a higher grade of employment;

[(13)] (15) "Neighborhood organization", any organization performing community services or economic development activities in the state of Missouri and:

(a) Holding a ruling from the Internal Revenue Service of the United States Department of the Treasury that the organization is exempt from income taxation pursuant to the provisions of the Internal Revenue Code; or

(b) Incorporated in the state of Missouri as a not for profit corporation pursuant to the provisions of chapter 355, RSMo; or

(c) Designated as a community development corporation by the United States government pursuant to the provisions of Title VII of the Economic Opportunity Act of 1964; or

(d) **Contributing funds to help finance a building or structure or purchase equipment located within this state and used to sell agricultural food products or to add value to food products produced in this state by members of an eligible new generation cooperative; or contributing funds to help finance a building or structure or purchase equipment owned by a not-for-profit organization located within this state and used to sell agricultural food products or to add value to food products produced by family farms as defined in subdivision (4) of section 350.010, RSMo, or family farm corporations as defined in subdivision (5) of section 350.010, RSMo;**

[(14)] (16) "Physical revitalization", furnishing financial assistance, labor, material, or technical advice to aid in the physical improvement or rehabilitation of any part or all of a neighborhood area;

[(15)] (17) "S corporation", a corporation described in Section 1361(a)(1) of the United States Internal Revenue Code and not subject to the taxes imposed by section 143.071, RSMo, by reason of section 143.471, RSMo;

[(16)] (18) "Workfare renovation project", any project initiated pursuant to sections 215.340 to 215.355, RSMo.

32.110. Any business firm which engages in the activities of providing physical revitalization, economic development, job training or education for individuals, community services, **eligible farmers markets** or crime prevention in the state of Missouri shall receive a tax credit as provided in section 32.115 if the director of the department of economic development annually approves the proposal of the business firm; except that, no proposal shall be approved which does not have the endorsement of the agency of local government within the area in which the business firm is engaging in such activities which has adopted an overall community or neighborhood development plan that the proposal is consistent with such plan. The proposal shall set forth the program to be conducted, the neighborhood area to be served, why the program is needed, the estimated amount to be contributed to the program and the plans for implementing the program. If, in the opinion of the director of the department of economic development, a business firm's contribution can more consistently with the purposes of sections 32.100 to 32.125 be made through

contributions to a neighborhood organization as defined in subdivision (12) of section 32.105, tax credits may be allowed as provided in section 32.115. The director of the department of economic development is hereby authorized to promulgate rules and regulations for establishing criteria for evaluating such proposals by business firms for approval or disapproval and for establishing priorities for approval or disapproval of such proposals by business firms with the assistance and approval of the director of the department of revenue. The total amount of tax credit granted for programs approved pursuant to sections 32.100 to 32.125 shall not exceed fourteen million dollars in fiscal year 1999 and twenty-six million dollars in fiscal year 2000, and any subsequent fiscal year, except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117. All tax credits authorized pursuant to the provisions of sections 32.100 to 32.125 may be used as a state match to secure additional federal funding. **The total amount of tax credits allowed for programs of neighborhood organizations defined pursuant to paragraph (d) of subdivision (15) of section 32.105 is two and one-half million dollars per fiscal year for fiscal years 2002 to 2006.**

32.116. Notwithstanding any provision of law to the contrary, tax credits authorized to be used against the tax otherwise due pursuant to chapter 148, RSMo, may be used by insurers on their quarterly estimated installments and reconciling installment for payment of taxes due for the current year or any other year authorized by the underlying tax credit.

135.813. 1. Any taxpayer who has provided funds to the department of economic development for the support of a rural housing development revolving loan pilot program, as provided in section 620.1350, shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer has contributed for the program.

2. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. Any amount of credit which exceeds the tax due shall not be refunded but may be carried over to any subsequent taxable year, not to exceed four years. The cumulative amount of tax credits which may be claimed by all the taxpayers in any one fiscal year shall not exceed two hundred ten thousand dollars.

3. The taxpayer shall apply for the credit to the department of economic development. The department may require the taxpayer to provide information that is reasonably necessary to determine the applicant's eligibility for a tax credit.

4. The department of economic development shall certify to the department of revenue each applicant which qualifies for the tax credit.

5. This section shall become effective January 1, 2002, and shall apply to all tax years after December 31, 2001.

261.032. The director of the department of agriculture shall, for the use of the marketing division of the department of agriculture, develop and implement rules and regulations by product category for all Missouri agricultural products included in the AgriMissouri marketing program or any equivalent successor program. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

261.037. 1. There is hereby created in the state treasury for the use of the marketing division of the state department of agriculture a fund to be known as "The Missouri Agricultural Products Marketing Development Fund". The general assembly shall appropriate to the fund from the general revenue fund one million three hundred thousand dollars for fiscal year 2002, one million dollars for fiscal year 2003 and seven hundred fifty thousand dollars for fiscal years 2004 through 2006. All moneys received by the state department of agriculture for Missouri agricultural products marketing development from any source, including trademark fees, shall be deposited in the fund. Moneys deposited in the fund shall, upon appropriation by the general assembly to the state department of agriculture, be expended by the marketing division of the state department of agriculture for purposes of Missouri agricultural products marketing development as specified in this section. The unexpended balance in the Missouri agricultural products marketing development fund at the end of the biennium shall not be transferred to the ordinary revenue fund of the state treasury and accordingly shall be exempt from the provisions of section 33.080, RSMo, relating to transfer of funds to the ordinary revenue funds

of the state by the state treasurer.

2. There is hereby created within the department of agriculture the "Citizens' Advisory Commission for Marketing Missouri Agricultural Products". The commission shall establish guidelines for the spending by the marketing division of the department of agriculture of all moneys in the Missouri agricultural products marketing development fund created pursuant to subsection 1 of this section. The guidelines shall focus on the promotion of the AgriMissouri or successor trademark associated with Missouri agricultural products which has been approved by the general assembly, and shall advance the following objectives:

(1) Increasing the impact and fostering the effectiveness of local efforts to promote Missouri agricultural products;

(2) Enabling and encouraging expanded advertising efforts for Missouri agricultural products;

(3) Encouraging effective, high-quality advertising projects, innovative marketing strategies, and the coordination of local, regional and statewide marketing efforts;

(4) Providing training and technical assistance to cooperative-marketing partners.

The commission shall establish a fee structure for sellers electing to use the AgriMissouri or successor trademark associated with Missouri agricultural products. Under the fee structure: (1) A seller having gross annual sales greater than two million dollars per fiscal year of Missouri agricultural products which constitute the final product of a series of processes or activities shall remit to the marketing division of the department of agriculture, at such times and in such manner as may be prescribed, a trademark fee of one-half of one percent of the aggregate amount of all of such seller's wholesale sales of products carrying the AgriMissouri or successor trademark; and (2) All sellers having gross annual sales less than or equal to two million dollars per fiscal year of Missouri agricultural products which constitute the final product of a series of processes or activities shall, after three years of selling Missouri agricultural products carrying the AgriMissouri or successor trademark, shall remit to the marketing division of the department of agriculture, at such times and in such manner as may be prescribed, a trademark fee of one-half of one percent of the aggregate amount of all of such seller's wholesale sales of products carrying the AgriMissouri or successor trademark. All trademark fees shall be deposited to the credit of the Missouri agricultural products marketing development fund, created pursuant to section 261.037. The commission may also create two additional trademark labels to be associated with Missouri agricultural products which are certified organic products and certified family farm produced products.

3. The marketing division of the department of agriculture is authorized to promote rules consistent with the guidelines and fee structure established by the commission. No rules or portion of a rule shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

4. The commission shall consist of nine members appointed by the governor with the advice and consent of the senate. One member shall be the director of the market development division of the department of agriculture. At least one member shall be a specialist in advertising; at least one member shall be a specialist in agribusiness; at least one member shall be a specialist in the retail grocery business; at least one member shall be a specialist in communications; at least one member shall be a specialist in product distribution; at least one member shall be a family farmer with expertise in livestock farming; at least one member shall be a family farmer with expertise in grain farming and at least one member shall be a family farmer with expertise in organic farming. Members shall serve for four-year terms, except in the first appointments three members shall be appointed for terms of four years, three members shall be appointed for terms of three years and three members shall be appointed for terms of two years each. Any member appointed to fill a vacancy of an unexpired term shall be appointed for the remainder of the term of the member causing the vacancy. The governor shall appoint a chairperson of the commission, subject to ratification by the commission.

5. Commission members shall receive no compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties on the commission. The division of market development of the department of agriculture shall provide all necessary staff and support services as required by the commission to hold commission meetings, to maintain records of official acts and to conduct all other business of the commission. The commission shall meet quarterly and at any such time that it deems necessary. Meetings may be called by the chairperson or by a petition signed by a majority of the members of the commission. Ten days notice shall be given in writing to such members prior to the meeting date. A simple majority of the members of the commission shall be present to constitute a quorum. Proxy voting shall not be permitted.

261.038. The marketing division of the department of agriculture shall create an Internet web site for the purpose of fostering the marketing of Missouri agricultural products over the Internet. The web site shall

allow consumers to place orders for Missouri agricultural products over the Internet and shall enable small companies which process Missouri agricultural products to pool products with other such small companies.

261.110. 1. The department of agriculture shall develop standards and labeling for organic farming.

2. The department of agriculture shall adopt rules to implement the provisions of this section.

3. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

262.260. 1. The commission shall establish admission fees to be charged at the gates of the fairgrounds. The admission fees, revenues from the sale of privileges and revenues as a result of pari-mutuel wagering shall be payable to and collected by the department of agriculture and transmitted to the state director of revenue who shall deposit the same [in the general revenue fund to the credit of the state fair fee account] to the credit of the "State Fair Fee Fund" which is hereby created in the state treasury. Such fund may also receive gifts, grants, contributions, appropriations and funds or benefits from any other source or sources. The money in the state fair fee [account] fund may be used in improving and beautifying the grounds, paying premiums and defraying expenses of the state fair, including officers' salaries, the hire of assistants, expense and equipment, capital improvements and maintenance and repair.

2. The unexpended balance in the state fair fee fund at the end of each fiscal year shall not be transferred to the general revenue fund of the state, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue fund of the state by the state treasurer shall not apply to the state fair fee fund.

3. Any portion of the fund not immediately needed for the purposes authorized shall be invested by the state treasurer as provided by the constitution and laws of this state. All income from such investments shall be deposited in the state fair fee fund."; and

Further amend said bill, Page 10, Section 262.762, Line 16 of said page, by inserting after all of said line the following:

"263.232. It shall be the duty of any person or persons, association of persons, corporations, partnerships, the state highways and transportation commission, any state department, any state agency, the county commissions, the township boards, school boards, drainage boards, the governing bodies of incorporated cities, railroad companies and other transportation companies or their authorized agents and those supervising state-owned lands to control the spread of and to eradicate by methods approved by the state department of agriculture cut-leaved teasel (*Dipsacus laciniatus*), common teasel (*Dipsacus fullonum*) and kudzu vine (*Pueraria lobata*) which are hereby designated as noxious and dangerous weeds to agriculture.

348.430. 1. The tax credit created in this section shall be known as the "Agricultural Product Utilization Contributor Tax Credit".

2. As used in this section, the following terms mean:

(1) "Authority", the agriculture and small business development authority as provided in this chapter;

(2) "Contributor", an individual, partnership, corporation, trust, limited liability company, entity or person that contributes cash funds to the authority;

(3) "Development facility", a facility producing either a good derived from an agricultural commodity or using a process to produce a good derived from an agricultural product;

(4) "Eligible new generation cooperative", a nonprofit cooperative association formed pursuant to chapter 274, RSMo, or incorporated pursuant to chapter 357, RSMo, for the purpose of operating a development facility or a renewable fuel production facility;

(5) "Renewable fuel production facility", a facility producing an energy source which is derived from a renewable, domestically grown, organic compound capable of powering machinery, including an engine or power plant, and any by-product derived from such energy source.

3. For tax year 1999, a contributor who contributes funds to the authority may receive a credit against the tax or estimated quarterly tax otherwise due pursuant to chapter 143, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo, chapter 148, RSMo, chapter 147, RSMo, in an amount of up to one hundred percent of such contribution. The awarding of such credit shall be at the approval of the authority, based on the least amount of credits necessary to provide incentive for the contributions. A contributor that receives tax credits for a contribution to the authority shall receive no other consideration or compensation for such contribution, other than a federal tax deduction, if applicable, and goodwill. A contributor that receives tax credits for a contribution provided in this section may not be a member, owner, investor or lender of an eligible new generation cooperative that receives

financial assistance from the authority either at the time the contribution is made or for a period of two years thereafter.

4. A contributor shall submit to the authority an application for the tax credit authorized by this section on a form provided by the authority. If the contributor meets all criteria prescribed by this section and the authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax credits issued pursuant to this section shall initially be claimed for the taxable year in which the contributor contributes funds to the authority. Any amount of credit that exceeds the tax due for a contributor's taxable year may be carried forward to any of the contributor's five subsequent taxable years. Tax credits issued pursuant to this section may be assigned, transferred or sold. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit or the value of the credit.

5. The funds derived from contributions in this section shall be used for financial assistance or technical assistance for the purposes provided in section 348.407, to rural agricultural business concepts as approved by the authority. The authority may provide or facilitate loans, equity investments, or guaranteed loans for rural agricultural business concepts, but limited to two million dollars per project or the net state economic impact, whichever is less. Loans, equity investments or guaranteed loans may only be provided to feasible projects, and for an amount that is the least amount necessary to cause the project to occur, as determined by the authority. The authority may structure the loans, equity investments or guaranteed loans in a way that facilitates the project, but also provides for a compensatory return on investment or loan payment to the authority, based on the risk of the project.

6. In any given year, at least ten percent of the funds granted to rural agricultural business concepts shall be awarded to grant requests of twenty-five thousand dollars or less. No single rural agricultural business concept shall receive more than two hundred thousand dollars in grant awards from the authority. Agricultural businesses owned by minority members or women shall be given consideration in the allocation of funds.

348.432. 1. The tax credit created in this section shall be known as the "New Generation Cooperative Incentive Tax Credit".

2. As used in this section, the following terms mean:

(1) "Authority", the agriculture and small business development authority as provided in this chapter;

(2) "Development facility", a facility producing either a good derived from an agricultural commodity or using a process to produce a good derived from an agricultural product;

(3) "Eligible new generation cooperative", a nonprofit cooperative association formed pursuant to chapter 274, RSMo, or incorporated pursuant to chapter 357, RSMo, for the purpose of operating a development facility or a renewable fuel production facility and approved by the authority;

(4) "Member", a person, partnership, corporation, trust or limited liability company that invests cash funds to an eligible new generation cooperative;

(5) "Renewable fuel production facility", a facility producing an energy source which is derived from a renewable, domestically grown, organic compound capable of powering machinery, including an engine or power plant, and any by-product derived from such energy source.

3. Beginning tax year 1999, and subsequent tax years, any member who invests cash funds in an eligible new generation cooperative may receive a credit against the tax **or estimated quarterly tax** otherwise due pursuant to chapter 143, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo, or chapter 148, RSMo, chapter 147, RSMo, in an amount equal to the lesser of fifty percent of such member's investment or fifteen thousand dollars.

4. A member shall submit to the authority an application for the tax credit authorized by this section on a form provided by the authority. If the member meets all criteria prescribed by this section and is approved by the authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax credits issued pursuant to this section shall initially be claimed for the taxable year in which the member contributes capital to an eligible new generation cooperative. Any amount of credit that exceeds the tax due for a member's taxable year may be carried back to any of the member's three prior taxable years and carried forward to any of the member's five subsequent taxable years. Tax credits issued pursuant to this section may be assigned, transferred, [or] sold **or otherwise conveyed and the new owner of the tax credit shall have the same rights in the credit as the member**. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit or the value of the credit.

5. At least ten percent of the tax credits authorized pursuant to this section shall be offered in any fiscal year to projects with capital costs of no more than one million dollars. If the amount of tax credits allowed pursuant to this section exceeds the amount needed for such smaller projects, the remaining tax credits may be offered for projects with capital costs in excess of one million dollars.

6. If members of a project would be eligible for tax credits in excess of one million five hundred thousand dollars, tax credits authorized pursuant to this section shall be prorated between the members on a percent of investment basis, not to exceed the maximum allowed per member.

620.1350. 1. The department of economic development shall establish three rural housing development revolving loan pilot programs as provided in this section.

2. Three pilot programs shall provide loans for the construction of single family houses within incorporated communities with a population of five thousand or less in a county of the third classification.

3. The loans shall be at no interest and shall be made to nonprofit corporations. The amount of each loan shall be no more than seventy thousand dollars.

4. Any nonprofit corporation desiring to construct single family housing pursuant to section 620.1350 shall apply to the department for such funds. The application shall include information pertaining to, but not limited to, the following:

- (1) The area in which the housing is intended to be constructed;
- (2) A statement about the need for single family housing in such area;
- (3) The time period required for constructing each home and making it available on the market;
- (4) A list of the officers, with addresses and phone numbers, of the corporation;
- (5) The assets and experience of the corporation and the individual or agency who will advise such corporation in the construction of such housing; and

- (6) A statement as to availability and cost of sewage and water lines for such housing.

5. The department shall award loans to qualified nonprofit organizations according to the statement of need and compliance with this section.

6. The department shall set criteria that could result in the expiration of the loan, may require reasonable reports on the progress of housing construction and may inspect the construction sites and records of the nonprofit corporation.

7. A nonprofit corporation receiving a loan shall place the funds in an account to pay for the costs of construction, buying, selling, and preparing a property. Any interest earned on the account shall be kept in the account and used for the same purposes.

8. Upon the sale of a home, the proceeds shall be placed in the fund and used to finance the construction of another home or to repay the loan. Any deficit on a loan shall be repaid by the nonprofit corporation. Any surplus remaining after repayment of a loan shall remain in the fund to be used for the public benefit in construction or rehabilitation of housing.

9. Separate records shall be kept for the costs of each home built by the nonprofit corporation.

10. The construction of homes by nonprofit corporations pursuant to this section shall be done on site at a location where water and sewage services are available. Cities and other political subdivisions may waive the costs of connecting utilities or providing building permits or other services.

11. All homes shall be constructed in accordance with the rural development building standards of the United States Department of Agriculture or in urban areas shall meet the codes in effect in those communities, but additional consideration may be given to those entities constructing homes which incorporate basic elements of universal design for elderly and disabled occupants.

12. The nonprofit corporation may contract with other entities for the buying and selling of property and for construction of housing pursuant to this section.

13. Homes constructed by nonprofit corporations pursuant to this section shall be sold at cost plus a two thousand five hundred dollar administration fee. The administration fee may be used to pay an individual or agency with previous experience in housing construction for supervising the purchase of land and construction of each house. Any such agent of the corporation shall ensure that all legal and insurance requirements are met. Any part of the administration fee remaining after paying such costs shall be placed into the fund.

14. The buyer of the home may use any available financing mechanism to make the purchase, including any other state or federal assistance programs.

15. The nonprofit corporation shall establish priorities for selling homes to low income or moderate income persons and families, as defined in section 215.010, insofar as such buyers have financing arrangements completed previous to occupancy. The nonprofit corporation shall contact any local housing authority or community housing development organization to ascertain qualified buyers prior to the completion of construction.

16. The nonprofit corporation shall ensure that the sales contract shall contain a clause to prevent

speculative purchases. The clause shall require an interest-free second mortgage to be obtained for the difference between the sale price and the appraised price, if any. The interest-free second mortgage shall be payable to the nonprofit organization and shall become due and payable to such organization if the buyer of the home sells the property prior to five years of ownership. The interest-free second mortgage shall be null and void after a period of five years following the closing date of the home purchase if the following requirements are met:

(1) The home has been the primary home of the purchaser for a period of five years after the closing date; and

(2) The property has not been used as rental property for such five-year period.

620.1353. 1. The "Rural Housing Development Revolving Loan Pilot Program Fund" is hereby established within the department of economic development. The fund shall consist of all moneys provided by taxpayers to support the rural housing development revolving loan pilot program pursuant to section 135.813, RSMo.

2. The fund shall be administered by the department of economic development. Upon appropriation, money in the fund shall be used solely for the purposes contained in section 620.1350. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Interest and moneys earned on such investments shall be credited to the fund.

3. Notwithstanding the provisions of section 33.080, RSMo, moneys in the fund shall not be transferred to the general revenue fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Williams (159), **House Amendment No. 1** was adopted.

Representative Kreider offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Substitute for Senate Bill No. 925, Page 13, Section 4, Lines 21-25, by deleting all of said lines and inserting in lieu thereof the following:

"Section 4. Nothing in sections 1 to 3 of the farmland protection act shall apply to any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county as the boundary of that city existed on January 1, 2000 nor to any sewer district established pursuant to article VI, section 30(a) of the Missouri constitution as the boundary of said sewer district existed on January 1, 2000."

On motion of Representative Kreider, **House Amendment No. 2** was adopted.

Representative Scheve offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 925, Page 5, Section 26.700, Line 4 of said page, by inserting after all of said line the following:

"135.500. 1. Sections 135.500 to 135.529 shall be known and may be cited as the "Missouri Certified Capital Company Law".

2. As used in sections 135.500 to 135.529, the following terms mean:

(1) "Affiliate of a certified company":

(a) Any person, directly or indirectly owning, controlling or holding power to vote [ten] **fifteen** percent or more of the outstanding voting securities or other ownership interests of the Missouri certified capital company;

(b) Any person [ten] **fifteen** percent or more of whose outstanding voting securities or other ownership interest are directly or indirectly owned, controlled or held with power to vote by the Missouri certified capital company;

(c) Any person directly or indirectly controlling, controlled by, or under common control with the Missouri certified capital company;

(d) A partnership in which the Missouri certified capital company is a general partner;

(e) Any person who is an officer, director or agent of the Missouri certified capital company or an immediate family member of such officer, director or agent;

(2) "Applicable percentage", one hundred percent;

(3) "Capital in a qualified Missouri business **or qualified Missouri agricultural business**", any debt, equity or hybrid security, of any nature and description whatsoever, including a debt instrument or security which has the characteristics of debt but which provides for conversion into equity or equity participation instruments such as options or warrants which are acquired by a Missouri certified capital company as a result of a transfer of cash to a business. Capital in a qualified Missouri business shall not include secured debt instruments;

(4) "Certified capital", an investment of cash by an investor in a Missouri certified capital company;

(5) "Certified capital company", any partnership, corporation, trust or limited liability company, whether organized on a profit or not for profit basis, that is located, headquartered and registered to conduct business in Missouri that has as its primary business activity, the investment of cash in qualified Missouri businesses, and which is certified by the department as meeting the criteria of sections 135.500 to 135.529;

(6) "Department", the Missouri department of economic development;

(7) "Director", the director of the department of economic development or a person acting under the supervision of the director;

(8) "Investor", any insurance company that contributes cash;

(9) "Liquidating distribution", payments to investors or to the certified capital company from earnings;

(10) "Person", any natural person or entity, including a corporation, general or limited partnership, trust or limited liability company;

(11) "Qualified distribution", any distribution or payment to equity holders of a certified capital company in connection with the following:

(a) Reasonable costs and expenses of forming, syndicating, managing and operating the certified capital company;

(b) Management fees for managing and operating the certified capital company; and

(c) Any increase in federal or state taxes, penalties and interest, including those related to state and federal income taxes, of equity owners of a certified capital company which related to the ownership, management or operation of a certified capital company;

(12) "Qualified investment", the investment of cash by a Missouri certified capital company in such a manner as to acquire capital in a qualified Missouri business, **or in the case of certified capital raised after August 28, 2000, a qualified Missouri agricultural business**;

(13) **"Qualified Missouri agricultural business", any independently owned and operated business, which is headquartered and located in Missouri, and which is either:**

(a) **A rural agricultural business whose projects add value to agricultural products and aid the economy of a rural community, including any development facility as defined in subdivision (3) of subsection 2 of section 348.430, RSMo, and whose gross sales during its most recent complete fiscal year shall not have exceeded five million dollars; or**

(b) **Any business that is an eligible borrower as described pursuant to section 4279.108 of the Rural Development Instructions of the United States Department of Agriculture and whose gross sales during its most recent complete fiscal year shall not have exceeded five million dollars.**

[(13)] (14) "Qualified Missouri business", an independently owned and operated business, which is headquartered and located in Missouri and which is in need of venture capital and cannot obtain conventional financing. Such business shall have no more than two hundred employees, eighty percent of which are employed in Missouri. Such business shall be involved in commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, real estate development, insurance and professional services provided by accountants, lawyers or physicians. If such business has been in existence for three years or less, its gross sales during its most recent complete fiscal years shall not have exceeded four million dollars. If such business has been in existence for longer than three years, its gross sales during its most recent complete fiscal year shall not have exceeded three million dollars. Any business which is

classified as a qualified Missouri business at the time of the first investment in such business by a Missouri certified capital company shall, for a period of seven years from the date of such first investment, remain classified as a qualified Missouri business and may receive follow-on investments from any Missouri certified capital company and such follow-on investments shall be qualified investments even though such business may not meet the other qualifications of this subsection at the time of such follow-on investments;

[(14)] (15) "State premium tax liability", any liability incurred by an insurance company pursuant to the provisions of section 148.320, 148.340, 148.370 or 148.376, RSMo, and any other related provisions, which may impose a tax upon the premium income of insurance companies after January 1, 1997.

135.503. 1. Any investor that makes an investment of certified capital shall, in the year of investment, earn a vested credit against state premium tax liability equal to the applicable percentage of the investor's investment of certified capital. An investor shall be entitled to take up to ten percent of the vested credit in any taxable year of the investor. Any time after three years after August 28, 1996, the director, with the approval of the commissioner of administration, may reduce the applicable percentage on a prospective basis. Any such reduction in the applicable percentage by the director shall not have any effect on credits against state premium tax liability which have been claimed or will be claimed by any investor with respect to credits which have been earned and vested pursuant to an investment of certified capital prior to the effective date of any such change.

2. An insurance company claiming a state premium tax credit earned through an investment in a certified capital company shall not be required to pay any additional retaliatory tax levied pursuant to section 375.916, RSMo, as a result of claiming such credit.

3. The credit against state premium tax liability which is described in subsection 1 of this section may not exceed the state premium tax liability of the investor for any taxable year. All such credits against state premium tax liability may be carried forward indefinitely until the credits are utilized. The maximum amount of certified capital in one or more certified capital companies for which earned and vested tax credits will be allowed in any year to any one investor or its affiliates shall be limited to ten million dollars.

4. Except as provided in subsection 5 of this section, the aggregate amount of certified capital for which earned and vested credits against state premium tax liability are allowed for all persons pursuant to sections 135.500 to 135.529 shall not exceed the following amounts: for calendar year 1996, \$0.00; for calendar year 1997, an amount which would entitle all Missouri certified capital company investors to take aggregate credits of five million dollars; [and for any year thereafter, an additional amount to be determined by the director but not to exceed aggregate credits of ten million dollars for any year with the approval of the commissioner of administration and reported to the general assembly as provided in subsection 2 of section 33.282, RSMo, provided that the amount so determined shall not impair the ability of an investor with earned and vested credits which have been allowed in previous years to take them, pursuant to subsection 1 of this section] **in calendar year 1998, an amount which would entitle all Missouri certified capital company investors, on an aggregate basis, to take an additional five million dollars in tax credits; and for calendar year 2000, an amount which would entitle all Missouri certified capital company investors, on an aggregate basis, to take an additional five million dollars in tax credits. Thereafter, the aggregate amount of earned and vested certified capital company credits that may be taken on an annual basis by all Missouri certified capital company investors shall not exceed an amount equal to ten percent of the cumulative credits earned in respect of certified capital invested in previous years.** During any calendar year in which the limitation described in this subsection will limit the amount of certified capital for which earned and vested credits against state premium tax liability are allowed, certified capital for which credits are allowed will be allocated in order of priority based upon the date of filing of information described in subdivision (1) of subsection 5 of section 135.516. [Certified capital limited in any calendar year by the application of the provisions of this subsection shall be allowed and allocated in the immediately succeeding calendar year in the order of priority set forth in this subsection.] The department shall make separate allocations of certified capital for which credits are allowed under the limitations described in this subsection and under the limitations described in subsection 5 of this section.

5. In addition to the maximum amount pursuant to subsection 4 of this section, the aggregate amount of certified capital for which earned and vested credits against state premium tax liability are allowed for persons pursuant to sections 135.500 to 135.529 shall be the following: for calendar year 1999 and for any year thereafter, an amount to be determined by the director which would entitle all Missouri certified capital company investors to take aggregate credits not to exceed four million dollars for any year with the approval of the commissioner of administration and reported to the general assembly as provided in subsection 2 of section 33.282, RSMo, provided that the amount so determined shall not impair the ability of an investor with earned and vested credits which have been allowed in previous years or pursuant to the provisions of subsection 4 of this section to take them, pursuant to subsection 1 of this section.

For purposes of any requirement regarding the schedule of qualified investments for certified capital for which earned and vested credits against state premium tax liability are allowed pursuant to this subsection only, the definition of a "qualified Missouri business" as set forth in subdivision [(13)] (14) of subsection 2 of section 135.500 means a Missouri business that is located in a distressed community as defined in section 135.530, and meets all of the requirements of subdivision [(13)] (14) of subsection 2 of section 135.500, except that its gross sales during its most recent complete fiscal year shall not have exceeded five million dollars. During any calendar year in which the limitation described in this subsection limits the amount of additional certified capital for which earned and vested credits against state premium tax liability are allowed, additional certified capital for which credits are allowed shall be allocated in order of priority based upon the date of filing of information described in subdivision (1) of subsection 5 of section 135.516 with respect to such additional certified capital. The department shall make separate allocations of certified capital for which credits are allowed under the limitations described in this subsection and under the limitations described in subsection 4 of this section. No limitation applicable to any certified capital company with respect to certified capital for which credits are allowed pursuant to subsection 4 of this section shall limit the amount of certified capital for which credits are allowed pursuant to this subsection. No limitation applicable to any certified capital company with respect to certified capital for which credits are allowed pursuant to this subsection shall limit the amount of certified capital for which credits are allowed pursuant to subsection 4 of this section.

6. The department shall advise any Missouri certified capital company, in writing, within fifteen days after receiving the filing described in subdivision (1) of subsection 5 of section 135.516 whether the limitations of subsection [3] 4 of this section then in effect will be applicable with respect to the investments and credits described in such filing with the department.

135.516. 1. To continue to be certified, a Missouri certified capital company shall make qualified investments according to the following schedule:

(1) Within two years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company at least twenty-five percent of its certified capital shall be, or have been, placed in qualified investments;

(2) Within three years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company at least forty percent of its certified capital shall be, or have been, placed in qualified investments;

(3) Within four years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company, at least fifty percent of its total certified capital shall be, or have been, placed in qualified investments **and in the case of any certified capital raised after August 28, 2000, at least twenty-five percent of which in terms of dollars shall be, or have been, placed in qualified investments in qualified Missouri agricultural businesses.** A Missouri certified capital company may not make an investment in an affiliate of the certified capital company. For the purposes of this subsection, if a legal entity is not an affiliate before a certified capital company initially invests in the entity, it will not be an affiliate if a certified capital company provides additional investment in such entity subsequent to its initial investment;

(4) A certified capital company, at least fifteen working days prior to making what it determines to be an initial qualified investment in a specific qualified Missouri business, shall certify to the department that the company in which it proposes to invest meets the definition of a qualified Missouri business pursuant to subdivision (14) of subsection 2 of section 135.500. The certified capital company shall state the amount of capital it intends to invest and the name of the business in which it intends to invest. The certified capital company shall also provide to the department an explanation of its determination that the business meets the definition of a qualified Missouri business. If the department determines that the business does not meet the definition of a qualified Missouri business, it shall, within the fifteen-working-day period prior to the making of the proposed investment, notify the certified capital company of its determination and an explanation thereof. If the department fails to notify the certified capital company with respect to the proposed investment within the fifteen-working-day period prior to the making of the proposed investment, the company in which the certified capital company proposes to invest shall be deemed to be a qualified Missouri business. If a certified capital company fails to notify the department prior to making an initial investment in a business, the department may subsequently determine that the business in which the certified capital company invested was not a qualified Missouri business even though the business, at the time of the investment, met the requirements of subdivision (14) of subsection 2 of section 135.500;

(5) All certified capital which is not required to be placed in qualified investments or which has been placed in qualified investments and can be received by the company, may be held or invested in such manner as the Missouri certified capital company, in its discretion, deems appropriate, **including, subject to the approval of the department**

upon terms and conditions determined by it, investments with an investor of the Missouri certified capital company or an affiliate or subsidiary of such investor of the Missouri certified capital company which is providing a guarantee, indemnity, bond, insurance policy or other guaranteed payment undertaking in favor of the investors that have invested certified capital in the Missouri certified capital company and which is rated AA or better by Standard and Poor's Ratings Group or the equivalent by another nationally recognized agency. The proceeds of all certified capital which is received by a certified capital company after it was originally placed in qualified investments may be placed again in qualified investments and shall count toward any requirement in sections 135.500 to 135.529 with respect to placing certified capital in qualified investments.

2. A certified capital company may make qualified distributions at any time. In order to make distributions, other than qualified distributions, a certified capital company must have placed an amount cumulatively equal to one hundred percent of its certified capital in qualified investments **and, with respect to qualified investments made with certified capital raised after August 28, 2000, twenty-five percent of such qualified investment must be in qualified Missouri agricultural businesses.** Cumulative distributions to equity holders, other than qualified distributions, in excess of the certified capital company's original certified capital and any additional capital contributions to the certified capital company shall be subject to audit by a nationally recognized certified public accounting firm acceptable to the department, at the expense of the certified capital company. The audit shall determine whether aggregate cumulative distributions to all investors and equity holders, other than qualified distributions, when combined with all tax credits utilized by investors pursuant to sections 135.500 to 135.529, have resulted in an annual internal rate of return of fifteen percent computed on the sum of total original certified capital of the certified capital company and any additional capital contributions to the certified capital company. Twenty-five percent of distributions made, other than qualified distributions, in excess of the amount required to produce a fifteen percent annual internal rate of return, as determined by the audit, shall be payable by the certified capital company to the Missouri development finance board. Distributions or payments to debt holders of a certified capital company, however, may be made without restriction with respect to debt owed to them by a certified capital company. A debt holder that is also an investor or equity holder of a certified capital company may receive distributions or payments with respect to such debt without restriction.

3. No qualified investment may be made at a cost to a Missouri certified capital company greater than fifteen percent of the total certified capital under management of the Missouri certified capital company at the time of investment.

4. Documents and other materials submitted by Missouri certified capital companies or by businesses for purposes of the continuance of certification may be deemed "closed records" pursuant to the provisions of section 620.014, RSMo.

5. Each Missouri certified capital company shall report the following to the department:

(1) As soon as practicable after the receipt of certified capital, the name of each investor from which the certified capital was received, the amount of each investor's investment of certified capital and tax credits computed without regard to any limitations under subsection [3] 4 of section 135.503, and the date on which the certified capital was received;

(2) On a quarterly basis, the amount of the Missouri certified capital company's certified capital at the end of the quarter, whether or not the Missouri certified capital company has invested more than fifteen percent of the total certified capital under management in any one company, and all qualified investments that the Missouri certified capital company has made;

(3) Each Missouri certified capital company shall provide annual audited financial statements to the department which include an opinion of an independent certified public accountant to the department within ninety days of the close of the fiscal year. The audit shall address the methods of operation and conduct of the business of the Missouri certified capital company to determine if the Missouri certified capital company is complying with the statutes and program rules and that the funds received by the Missouri certified capital company have been invested as required within the time limits provided by sections 135.500 to 135.529."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Scheve, **House Amendment No. 3** was adopted.

Representative Kreider offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 925, Page 10, Section 262.762, Line 16, by inserting after all of said line the following:

"263.232. It shall be the duty of any person or persons, association of persons, corporations, partnerships, the state highways and transportation commission, any state department, any state agency, the county commissions, the township boards, school boards, drainage boards, the governing bodies of incorporated cities, railroad companies and other transportation companies or their authorized agents and those supervising state-owned lands to control the spread of and to eradicate by methods approved by the state department of agriculture cut-leaved teasel (*Dipsacus laciniatus*), common teasel (*Dipsacus fullonum*) and kudzu vine (*Pueraria lobata*) which are hereby designated as noxious and dangerous weeds to agriculture."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Boatright raised a point of order that **House Amendment No. 4** is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Kreider, **House Amendment No. 4** was adopted.

Representative Myers offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 925, Page 10, Section 262.762, by inserting after Line 16 the following:

"4. The provisions of Sections 262.750, 262.753, 262.756, 262.759 and 262.762 shall become effective on January 1, 2001."

On motion of Representative Myers, **House Amendment No. 5** was adopted.

Representative Patek offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 925, Page 7, Section 262.753, Lines 12 to 13 of said page, by deleting the phrase **"the limits of the appropriations and other"**; and

Further amend said bill, Page 10, Section 262.759, Lines 3 to 4 of said page, by deleting the phrase **"appropriations, and from all other available sources including but not limited to federal, state,"** and to insert in lieu thereof the phrase **"all available sources including federal,"**; and

Further amend said bill, Page 10, Section 262.762, Lines 8 to 9 of said page, by deleting the phrase **"sources other than appropriation by the general assembly, including from"**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Patek moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Gibbons offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 925, Page 13, Section 4, Line 25 of said page, by inserting immediately after all of said line the following:

“Section 5. Notwithstanding any provision of law to the contrary, in any dispute regarding the liability of a taxpayer for collection and remittance or payment of income, franchise, sales or use tax due on a particular type of transaction, the director of revenue shall consider whether tax has been previously collected and remitted or paid on such type of transaction by other taxpayers within the same or similar type of business or profession in this state and shall consider such information when determining the appropriate resolution of this dispute. If the director of revenue or the administrative hearing commission determines tax has not been previously collected and remitted or paid by other taxpayers within the same or similar type of business or profession on the transaction in question, the director or administrative hearing commission may abate previous taxes, interest and penalty related to such transaction and the taxpayer shall be liable to collect and remit or pay taxes in a prospective manner, beginning from the date of the final determination of same by the director of revenue.”;
and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Gibbons, **House Amendment No. 7** was adopted.

Representative Hartzler (124) offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 925, Page 5, Line 4, by inserting after said line the following:

“135.918. This section shall be known and may be cited as the “Missouri Agricultural Investment Tax Credit Act”. For tax years beginning on or after January 1, 2000, but before December 31, 2004, an individual taxpayer who qualifies as a farmer pursuant to Section 6654(i) (2) of Title 26 of the Internal Revenue Code or a corporate taxpayer who qualifies as a farming corporation pursuant to chapter 350, RSMo, shall be allowed to claim a nonrefundable credit against the tax otherwise due pursuant to chapter 143, RSMo, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions, in an amount equal to ten percent of the cost of any item which is allowable as an expensing election pursuant to Section 179 of the Internal Revenue Code for the same tax year. The tax credit allowed pursuant to this section shall not exceed three hundred dollars. An eligible taxpayer shall claim the credit allowed by this section at the time such taxpayer files a return; provided that, a taxpayer who fails to timely file such taxpayer’s return; including extensions, shall not be eligible for a credit pursuant to this section. Any amount of credit that exceeds the tax due for a taxpayer’s tax year may be carried back to any of the taxpayer’s three prior tax years or carried forward to any other taxpayer’s five subsequent tax years. The department of revenue is authorized to adopt any rules or regulations deemed necessary for the effective administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly

pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void. To be eligible for tax credits pursuant to this section, the taxpayer must be an individual or family corporation and have gross farm sales of not less than ten thousand dollars or more than nine hundred ninety-nine thousand nine hundred ninety-nine dollars.”; and

Further amend the title and enacting clause accordingly.

Representative Hartzler (124) moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

On motion of Representative Williams (159), **HS HCS SS SCS SB 925, as amended**, was adopted.

On motion of Representative Williams (159), **HS HCS SS SCS SB 925, as amended**, was read the third time and passed by the following vote:

AYES: 141

Abel	Auer	Backer	Ballard	Barnett
Barry 100	Bartelsmeyer	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Boykins	Bray 84	Britt	Campbell
Champion	Chrismer	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Fraser	Froelker
Gambaro	Gaskill	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Legan	Levin	Liese	Linton	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Murphy	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Ransdall
Reid	Reinhart	Relford	Reynolds	Ridgeway
Riley	Rizzo	Ross	Sallee	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Hohulin	Purgason	Townley
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PRESENT: 000

ABSENT WITH LEAVE: 017

Akin	Alter	Brooks	Burton	Cierpiot
Elliott	Franklin	George	Hagan-Harrell	Lograsso
Mays 50	Monaco	Pryor	Richardson	Robirds
Scheve	Stokan			

VACANCIES: 002

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 140

Abel	Akin	Auer	Backer	Barnett
Barry 100	Bartelsmeyer	Bartle	Berkowitz	Berkstresser
Black	Blunt	Boatright	Bonner	Boucher 48
Boykins	Bray 84	Britt	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Enz	Evans	Farnen	Foley
Ford	Foster	Franklin	Fraser	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Levin
Liese	Linton	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Ransdall	Reid
Reinhart	Relford	Reynolds	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Schilling
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Skaggs	Smith	Summers	Surface
Thompson	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 007

Ballard	Bennett	Froelker	Hendrickson	Hohulin
Purgason	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 014

Alter	Brooks	Burton	Elliott	Fitzwater
Hagan-Harrell	Legan	Lograsso	Monaco	Pryor
Richardson	Scheve	Shelton	Stokan	

VACANCIES: 002

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

APPROVAL OF THE HOUSE JOURNAL

On motion of Representative Crump, the Journal of the seventy-first day was approved as corrected by the following vote:

AYES: 087

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Gambaro	George	Graham 24	Gratz
Green	Gunn	Hampton	Harlan	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Liese	Long
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Relford	Reynolds
Riley	Rizzo	Schilling	Seigfreid	Selby
Shelton	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 064

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Champion	Chrismer	Cierpiot	Crawford
Dolan	Enz	Froelker	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kelley 47	King	Levin	Linton
Loudon	Luetkemeyer	Marble	McClelland	Miller
Murphy	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reid	Reinhart	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Summers	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Brooks	Burton	Elliott	Hagan-Harrell	Legan
Lograsso	Monaco	Richardson	Scheve	Stokan

VACANCIES: 002

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NOS. 678 & 742**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, with House Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, House Amendment No. 1 to House Amendment No. 19, House Amendment No. 19, as amended, House Amendments Nos. 20, 21, 23, 24, 25, 26, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 42, 43, 44 and 45, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, as amended; and
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742; and
3. That the attached Conference Committee Amendment No. 1 be adopted; and
4. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, with Conference Committee Amendment No. 1, be adopted.

FOR THE HOUSE:

/s/ Brian May
/s/ Ralph Monaco
/s/ Robert Clayton
/s/ Don Lograsso

FOR THE SENATE:

/s/ John Schneider
/s/ Harry Wiggins
/s/ William Clay
/s/ Steve Ehlmann
/s/ David Klarich

Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 678 & 742, Page 6, Section 34.046, Line 20 of said page, by inserting after all of said line by the following:

"34.055. 1. Except as otherwise provided in section 34.057, all invoices for supplies and services purchased by the state, duly approved and processed, shall be subject to interest charges or late payment charges as provided in this section.

2. After the [forty-fifth] **sixtieth** day following the later of the date of delivery of the supplies and services or the date upon which the invoice is [duly approved and processed] **presented**, interest retroactive to the thirtieth day shall be paid on any unpaid balance, **provided that such payment is not legitimately disputed**, [, except balances for services provided by a gas corporation, electrical corporation, water corporation, or sewer corporation which has received authorization from the public service commission to impose late payment charges on delinquent utility bills,] upon application of the vendor thereof. The rate of such interest shall be three percentage points above the average predominant prime rate quoted by commercial banks to large businesses, as determined by the Board of Governors of the Federal Reserve System. **The rate of interest paid on the undisputed, unpaid balance shall increase by two percent for each subsequent thirty-day period that the balance remains unpaid. In any case in which the state wrongfully contested payment without any reasonable dispute, the above rates of interest shall be trebled.**

3. **The interest and penalties authorized in subsection 2 of this section shall not apply to balances for services provided by a gas corporation, electrical corporation, water corporation, or sewer corporation which has received authorization from the public service commission to impose late payment charges on delinquent utility bills. Balances for such services shall be subject to the interest and penalties authorized pursuant to this subsection.** The state shall be liable for late payment charges on any delinquent bill for services purchased by the state from a gas corporation, electrical corporation, water corporation, or sewer corporation which has received authorization from the public service commission to impose late payment charges on delinquent utility bills. The rate of such late payment charges shall be as established for each such corporation by order of the public service commission, but bills rendered to the state shall not be considered delinquent until thirty days after rendition of the bill by the corporation.

4. Any such interest charges or late payment charges shall be paid from appropriations which were made for the fiscal year in which the supplies or services were delivered to the respective departments purchasing such supplies or services. The commissioner of administration shall be responsible for the timely implementation of this section and all officers, departments, institutions and agencies of state government shall fully cooperate with the commissioner of administration in the implementation of this section. No late payment penalty shall be assessed against, nor payable by, the state unless pursuant to the provisions of this section.

5. Notwithstanding any other provision of this section, recipients of funds from the low-income energy assistance program shall be exempt from interest charges imposed by such section for the duration of the recipient's participation in the program."; and

Further amend said bill, Pages 41-42, Section 286.010, by striking all of said section; and

Further amend said bill, Pages 118-119, Section 512.180, by striking all of said section; and

Further amend the title and enacting clause accordingly.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 902**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, with House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 2, House Amendments Nos. 3, 4 and 6, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, as amended; and
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 902; and
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 902, be adopted.

FOR THE HOUSE:

/s/ Joseph Treadway
/s/ Jim O'Toole
/s/ James Foley
/s/ Jon Dolan
/s/ Matt Boatright

FOR THE SENATE:

/s/ James Mathewson
/s/ Ronnie DePasco
/s/ Steve Stoll
/s/ Larry Rohrbach
/s/ Steve Ehlmann

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1797**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797 with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 9 and Senate Amendment No. 10, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Amendment No. 3 and Senate Amendment No. 7; and
2. That the House recede from its rejection of Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 9 and Senate Amendment No. 10; and

3. That the Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 9 and Senate Amendment No. 10, and with attached Conference Committee Amendment No. 1, Conference Committee Amendment No. 2, Conference Committee Amendment No. 3 and Conference Committee Amendment No. 4, be adopted.

FOR THE HOUSE:

/s/ Bill Gratz
/s/ Jim Kreider
/s/ Chuck Graham
/s/ Charles Nordwald
/s/ Bill Tudor

FOR THE SENATE:

/s/ Wayne Goode
/s/ Edward E. Quick
/s/ J. T. Howard
/s/ Morris Westfall
/s/ Franc Flotron

Conference Committee Amendment No. 1

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 22, Section 303.406, Line 12 of said page, by inserting after the word "**department**" the following:

"and shall receive funding from the "Motorist Insurance Identification Database Fund", which is hereby created in the state treasury. Effective July 1, 2002, the state treasurer shall credit to and deposit in the motorist insurance identification database fund six percent of the net general revenue portion received from collections of the insurance premiums tax levied and collected pursuant to sections 148.310 to 148.461, RSMo."

Conference Committee Amendment No. 2

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 1, Section A, Line 7, by inserting after all of said line the following:

"301.3051. 1. Any member of the Ancient Arabic Order, Nobles of the Mystic Shrine of North America (Shriners) or any person living within the state of Missouri and who has a motor vehicle which complies with the provisions of section 303.025, RSMo, may receive special license plates as prescribed in this section after an annual payment of an emblem-use authorization fee to the Shrine temple to which the person is a member in good standing. The Shrine temple described in this section shall authorize the use of its official emblem to be affixed on multi-year personalized license plates as provided in this section. Any contribution to such Shrine temple derived from this section, except reasonable administrative costs, shall be contributed to the Shriners Hospitals for Crippled and Burned Children. Any member of such Shrine temple may annually apply to the temple for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Shrine temple, the temple shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the member to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen-dollar fee in addition to the registration fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the emblem of the Shrine, to the vehicle owner.

3. The license plate authorized by this section shall be in a form as prescribed in section 301.129, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. A vehicle owner, who was previously issued a plate with the Shrine emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Shrine emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section."; and

Further amend the title, enacting clause and intersectional references accordingly.

Conference Committee Amendment No. 3

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 1, In the Title, Line 2, by deleting the word "**and**" and inserting in lieu thereof a comma ","; and

Further amend said bill, Page 1, In the Title, Line 4, by inserting at the end of said line the following:

"section 301.025, as enacted by conference committee substitute for house substitute for senate substitute for senate committee substitute for senate bill no. 19, ninetieth general assembly, first regular session, and section 301.025, as enacted by the conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session,"; and

Further amend said bill, Page 1, In the Title, Line 6, by deleting the word "**twelve**" and inserting in lieu thereof the word "**thirteen**"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word "**and**" and inserting in lieu thereof a comma ","; and

Further amend said bill, Page 1, Section A, Line 3, by deleting all of said line and inserting in lieu thereof the following:

"303.412, 303.415, RSMo Supp. 1999, section 301.025, as enacted by conference committee substitute for house substitute for senate substitute for senate committee substitute for senate bill no. 19, ninetieth general assembly, first regular session, and section 301.025, as enacted by the conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, are repealed and thirteen new"; and

Further amend said bill, Page 1, Section A, Line 5, by inserting at the beginning of said line the following: "**301.025**"; and

Further amend said bill, Section A, Line 7, by inserting after all of said line the following:

"301.025. 1. No state registration license to operate any motor vehicle in this state shall be issued unless the application for license of a motor vehicle or trailer is accompanied by a tax receipt for the tax year which immediately precedes the year in which the vehicle's or trailer's registration is due and which reflects that all taxes, including delinquent taxes from prior years, have been paid, or a statement certified by the county or township collector of the county or township in which the applicant's property was assessed showing that the state and county tangible personal property taxes for such previous tax year and all delinquent taxes due have been paid by the applicant or that no such taxes were due or, if the applicant is not a resident of this state and serving in the armed forces of the United States, the application is accompanied by a leave and earnings statement from such person verifying such status. In the event the registration is a renewal of a registration made two or three years previously, the application shall be accompanied by proof that taxes were not due or have been paid for the two or three years which immediately precede the year in which the motor vehicle's or trailer's registration is due. The county or township collector shall not be required to issue a receipt for the immediately preceding tax year until all personal property taxes, including all delinquent taxes currently due, are paid. If the applicant was a resident of another county of this state in the applicable preceding years, he or she must submit to the collector in the county or township of residence proof that the personal property

tax was paid in the applicable tax years. Every county and township collector shall give each person a tax receipt or a certified statement of tangible personal property taxes paid. The receipt issued by the county collector in any county of the first classification with a charter form of government which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand inhabitants which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any county of the first classification without a charter form of government with a population of at least one hundred ten thousand but less than one hundred fifty thousand inhabitants shall be determined null and void if the person paying tangible personal property taxes issues or passes a check or other similar sight order which is returned to the collector because the account upon which the check or order was drawn was closed or did not have sufficient funds at the time of presentation for payment by the collector to meet the face amount of the check or order. The collector may assess and collect in addition to any other penalty or interest that may be owed, a penalty of ten dollars or five percent of the total amount of the returned check or order whichever amount is greater to be deposited in the county general revenue fund, but in no event shall such penalty imposed exceed one hundred dollars. The collector may refuse to accept any check or other similar sight order in payment of any tax currently owed plus penalty or interest from a person who previously attempted to pay such amount with a check or order that was returned to the collector unless the remittance is in the form of a cashier's check, certified check or money order. If a person does not comply with the provisions of this section, a tax receipt issued pursuant to this section is null and void and no state registration license shall be issued or renewed. Where no such taxes are due each such collector shall, upon request, certify such fact and transmit such statement to the person making the request. Each receipt or statement shall describe by type the total number of motor vehicles on which personal property taxes were paid, and no renewal of any state registration license shall be issued to any person for a number greater than that shown on his or her tax receipt or statement except for a vehicle which was purchased without another vehicle being traded therefor, or for a vehicle previously registered in another state, provided the application for title or other evidence shows that the date the vehicle was purchased or was first registered in this state was such that no personal property tax was owed on such vehicle as of the date of the last tax receipt or certified statement prior to the renewal. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms. **If electronic data is not available, residents of counties with a township form of government and with township collectors shall present personal property tax receipts which have been paid for the preceding two years when registering under this section.**

2. Every county collector in counties with a population of over six hundred thousand and less than nine hundred thousand shall give priority to issuing tax receipts or certified statements pursuant to this section for any person whose motor vehicle registration expires in January. Such collector shall send tax receipts or certified statements for personal property taxes for the previous year within three days to any person who pays the person's personal property tax in person, and within twenty working days, if the payment is made by mail. Any person wishing to have priority pursuant to this subsection shall notify the collector at the time of payment of the property taxes that a motor vehicle registration expires in January. Any person purchasing a new vehicle in December and licensing such vehicle in January of the following year, may use the personal property tax receipt of the prior year as proof of payment.

3. In addition to all other requirements, the director of revenue shall not register any vehicle subject to the heavy vehicle use tax imposed by Section 4481 of the Internal Revenue Code of 1954 unless the applicant presents proof of payment, or that such tax is not owing, in such form as may be prescribed by the United States Secretary of the Treasury. No proof of payment of such tax shall be required by the director until the form for proof of payment has been prescribed by the Secretary of the Treasury.

4. Beginning July 1, 2000, a county or township collector may notify, by ordinary mail, any owner of a motor vehicle for which personal property taxes have not been paid that if full payment is not received within thirty days the collector may notify the director of revenue to suspend the motor vehicle registration for such vehicle. Any notification returned to the collector by the post office shall not result in the notification to the director of revenue for suspension of a motor vehicle registration. Thereafter, if the owner fails to timely pay such taxes the collector may notify the director of revenue of such failure. Such notification shall be on forms designed and provided by the department of revenue and shall list the motor vehicle owner's full name, including middle initial, the owner's address, and the year, make, model and vehicle identification number of such motor vehicle. Upon receipt of this notification the director of revenue may provide notice of suspension of motor vehicle registration to the owner at the owner's last address shown on the records of the department of revenue. Any suspension imposed may remain in effect until the department of revenue receives notification from a county or township collector that the personal property taxes have been paid in full. Upon the owner furnishing proof of payment of such taxes and paying a twenty dollar reinstatement fee to the director

of revenue the motor vehicle or vehicles registration shall be reinstated. In the event a motor vehicle registration is suspended for nonpayment of personal property tax the owner so aggrieved may appeal to the circuit court of the county of his or her residence for review of such suspension at any time within thirty days after notice of motor vehicle registration suspension. Upon such appeal the cause shall be heard de novo in the manner provided by chapter 536, RSMo, for the review of administrative decisions. The circuit court may order the director to reinstate such registration, sustain the suspension of registration by the director or set aside or modify such suspension. Appeals from the judgment of the circuit court may be taken as in civil cases. The prosecuting attorney of the county where such appeal is taken shall appear in behalf of the director, and prosecute or defend, as the case may require.

5. [No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.] **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.**

[301.025. 1. No state registration license to operate any motor vehicle in this state shall be issued unless the application for license of a motor vehicle or trailer is accompanied by a tax receipt for the tax year which immediately precedes the year in which the vehicle's or trailer's registration is due or a statement certified by the county or township collector of the county or township in which the applicant's property was assessed showing that the state and county tangible personal property taxes for such previous tax year have been paid by the applicant or that no such taxes were due or, if the applicant is not a resident of this state and serving in the armed forces of the United States, the application is accompanied by a leave and earnings statement from such person verifying such status. Every county and township collector shall give each person a tax receipt or a certified statement of tangible personal property taxes paid. The receipt issued by the county collector in any county of the first classification with a charter form of government which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand inhabitants which contains part of a city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any county of the first classification without a charter form of government with a population of at least one hundred ten thousand but less than one hundred fifty thousand inhabitants shall be determined null and void if the person paying tangible personal property taxes issues or passes a check or other similar sight order which is returned to the collector because the account upon which the check or order was drawn was closed or did not have sufficient funds at the time of presentation for payment by the collector to meet the face amount of the check or order. The collector may assess and collect in addition to any other penalty or interest that may be owed, a penalty of ten dollars or five percent of the total amount of the returned check or order whichever amount is greater to be deposited in the county general revenue fund, but in no event shall such penalty imposed exceed one hundred dollars. The collector may refuse to accept any check or other similar sight order in payment of any tax currently owed plus penalty or interest from a person who previously attempted to pay such amount with a check or order that was returned to the collector unless the remittance is in the form of a cashier's check, certified check or money order. If a person does not comply with the provisions of this section, a tax receipt issued pursuant to this section is null and void and no state registration license shall be issued or renewed. Where no such taxes are due each such collector shall, upon request, certify such fact and transmit such statement to the person making the request. Each receipt or statement shall describe by type the total number of motor vehicles on which personal property taxes were paid, and no renewal of any state registration license shall be issued to any person for a number greater than that shown on his or her tax receipt or statement except for a vehicle which was purchased without another vehicle being traded therefor, or for a vehicle previously registered in another state, provided the application for title or other evidence shows that the date the vehicle was purchased or was first registered in this state was such that no personal property tax was owed on such vehicle as of the date of the last tax receipt or certified statement prior to the renewal. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms.

2. Every county collector in counties with a population of over six hundred thousand and less than nine hundred thousand shall give priority to issuing tax receipts or certified statements pursuant to this section for any person whose motor vehicle registration expires in January. Such collector shall send tax receipts or certified statements for personal property taxes for the previous year within three days to any person who pays the person's personal property tax in person, and within twenty working days, if the payment is made by mail. Any person wishing to have priority pursuant

to this subsection shall notify the collector at the time of payment of the property taxes that a motor vehicle registration expires in January. Any person purchasing a new vehicle in December and licensing such vehicle in January of the following year, may use the personal property tax receipt of the prior year as proof of payment.

3. In addition to all other requirements, the director of revenue shall not register any vehicle subject to the heavy vehicle use tax imposed by Section 4481 of the Internal Revenue Code of 1954 unless the applicant presents proof of payment, or that such tax is not owing, in such form as may be prescribed by the United States Secretary of the Treasury. No proof of payment of such tax shall be required by the director until the form for proof of payment has been prescribed by the Secretary of the Treasury.]; and

Further amend the title, enacting clause and intersectional references accordingly.

Conference Committee Amendment No. 4

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1797, Page 22, Section 303.406, Line 13 of said page, by deleting the words "[may] **shall**" and inserting in lieu thereof the word "**may**"; and

Further amend said bill, Page 22, Section 303.406, Line 14 of said page, by deleting the number "**2001**" and inserting in lieu thereof the number "**2002**"; and

Further amend said bill, Page 23, Section 303.406, Line 1 of said page, by deleting the number "**2001**" and inserting in lieu thereof the following: "[2001] **2002**"; and

Further amend said bill, Page 29, Section 303.412, Line 25 of said page, by deleting the number "**2002**" and inserting the number "**2003**"; and

Further amend said bill, Page 31, Section 303.415, Line 10 of said page, by deleting the number "**2001**" and inserting in lieu thereof the number "**2002**"; and

Further amend said bill, Page 31, Section 303.415, Line 11 of said page, by deleting the number "**2006**" and inserting in lieu thereof the number "**2007**"; and

Further amend said bill, Page 31, Section 303.415, Line 14 of said page, by deleting the number "**2001**" and inserting in lieu thereof the following: "[2001] **2002**"; and

Further amend said bill, Page 31, Section 303.415, Line 16 of said page, by deleting the number "**2006**" and inserting in lieu thereof the number "**2007**"; and

Further amend said title, enacting clause and intersectional references accordingly.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE BILL NO. 1238**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Substitute for House Bill No. 1238, with Senate Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 17, 18, 19, 20 and 21, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Bill No. 1238, as amended; and
2. That the House recede from its position on House Substitute for House Bill No. 1238; and
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1238, be adopted.

FOR THE HOUSE:

/s/ Thomas Hoppe
/s/ Henry Rizzo
/s/ Phil Smith
/s/ Don Lograsso
/s/ Judy Berkstresser

FOR THE SENATE:

/s/ James Mathewson
/s/ Ed Quick
/s/ Sidney Johnson
/s/ Doyle Childers
/s/ Walt Mueller

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 1566 & 1810**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810 with Senate Amendment No. 1, Senate Amendment No. 3 Part 1, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 18, Senate Amendment No. 19, Senate Amendment No. 20, Senate Amendment No. 21, Senate Amendment No. 22, Senate Amendment No. 23, Senate Amendment No. 24, Senate Amendment No. 27, Senate Amendment No. 28, Senate Amendment No. 29, Senate Amendment No. 30, Senate Amendment No. 31, Senate Amendment No. 32, Senate Amendment No. 33, Senate Amendment No. 34, Senate Amendment No. 36, Senate Amendment No. 39, Senate Amendment No. 40, Senate Amendment No. 41, Senate Amendment No. 42, Senate Amendment No. 43, Senate Amendment No. 45, Senate Amendment No. 46 and Senate Amendment No. 47, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810, as amended; and
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill Nos. 1566 & 1810; and
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ Joan Bray
/s/ Tim Van Zandt
/s/ Vicky Riback Wilson
/s/ Michael Gibbons
/s/ Daniel Hegeman

FOR THE SENATE:

/s/ John Scott
/s/ Wayne Goode
/s/ Edward Quick
/s/ David Klarich
/s/ Marvin Singleton

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE SUBSTITUTE NO. 3
FOR
SENATE JOINT RESOLUTION NO. 35**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Substitute for Senate Substitute No. 3 for Senate Joint Resolution No. 35, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1 and House Substitute Amendment No. 1 for House Amendment No. 1, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Substitute No. 3 for Senate Joint Resolution No. 35, as amended; and
2. The Senate recede from its position on Senate Substitute for Senate Substitute No. 3 for Senate Joint Resolution No. 35; and
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Substitute No. 3 for Senate Joint Resolution No. 35, be adopted.

FOR THE HOUSE:

/s/ Chuck Graham
/s/ Gracia Backer
/s/ Patrick Naeger
/s/ Don Summers

FOR THE SENATE:

/s/ Wayne Goode
/s/ John Schneider
/s/ James Mathewson
/s/ Peter Kinder
/s/ Franc Flotron

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 1652 & 1433**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433 with Senate Substitute Amendment No. 1 for Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433, as amended; and
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill Nos. 1652 & 1433; and
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ Tom Hoppe
/s/ Kate Hollingsworth
/s/ Craig Hosmer
/s/ Jon Dolan
/s/ John Griesheimer

FOR THE SENATE:

/s/ Harold Caskey
/s/ John E. Scott
/s/ Jim Mathewson
/s/ John Russell
/s/ Roseann Bentley

BILLS IN CONFERENCE

CCR HS HCS SS SB 902, as amended, relating to gaming, was taken up by Representative Treadway.

On motion of Representative Treadway, **CCR HS HCS SS SB 902, as amended**, was adopted by the following vote:

AYES: 128

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Berkowitz	Black	Blunt	Bonner
Boykins	Bray 84	Britt	Brooks	Champion
Cierpiot	Clayton	Crawford	Crump	Curts
Davis 122	Davis 63	Days	Dolan	Dougherty
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24

Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	May 108	Mays 50	McBride
McKenna	Merideth	Miller	Monaco	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Pouche 30
Pryor	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Surface	Thompson	Treadway	Troupe
Vogel	Wagner	Ward	Wiggins	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 025

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Berkstresser	Boatright	Boucher 48	Campbell	Chrismer
Froelker	Hartzler 124	Hendrickson	Hohulin	Kelley 47
Marble	McClelland	McLuckie	Phillips	Purgason
Robirds	Smith	Summers	Tudor	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Burton	Elliott	Murphy	Ridgeway	Stokan
Townley	Van Zandt	Williams 121		

VACANCIES: 002

On motion of Representative Treadway, **CCS HS HCS SS SB 902** was truly agreed to and finally passed by the following vote:

AYES: 123

Abel	Alter	Auer	Backer	Barnett
Barry 100	Bennett	Berkowitz	Black	Blunt
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dolan
Dougherty	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hampton	Harlan	Hartzler 123
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Liese
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
May 108	Mays 50	McBride	McKenna	Merideth
Miller	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Pouche 30	Ransdall	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Ross
Sallee	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Surface	Thompson	Treadway	Troupe	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

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NOES: 030

Akin	Ballard	Bartelsmeyer	Bartle	Berkstresser
Boatright	Campbell	Champion	Chrismer	Hanaway
Hartzler 124	Hendrickson	Hohulin	Kelley 47	Levin
Linton	Marble	McClelland	McLuckie	Murphy
Phillips	Pryor	Purgason	Reid	Robirds
Schilling	Smith	Summers	Tudor	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Burton	Elliott	Hagan-Harrell	Monaco	Patek
Stokan	Townley	Van Zandt		

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Fraser, title to the bill was agreed to.

Representative Ransdall moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

CCR SS HS HCS HB 1797, as amended, relating to insurance identification database, was taken up by Representative Gratz.

Representative Gratz moved that Rule 60(c) be suspended and **CCR SS HS HCS HB 1797, as amended**, be adopted.

Which motion was adopted by the following vote:

AYES: 142

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Gambara	Gaskill	George	Gibbons
Graham 106	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler 123
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Legan	Levin	Liese	Long
Loudon	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Murphy	Murray	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor

Purgason	Ransdall	Reid	Relford	Reynolds
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Summers	Surface	Thompson	Treadway
Troupe	Tudor	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 007

Auer	Boykins	Froelker	Graham 24	Gunn
Lograsso	Ridgeway			

PRESENT: 000

ABSENT WITH LEAVE: 012

Burton	Dolan	Elliott	Hartzler 124	Linton
Monaco	Naeger	Reinhart	Richardson	Stokan
Townley	Van Zandt			

VACANCIES: 002

On motion of Representative Gratz, **CCS SS HS HCS HB 1797** was read the third time and passed by the following vote:

AYES: 149

Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Brooks	Campbell
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Merideth	Miller
Murphy	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Treadway	Troupe	Tudor	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Auer	Gunn
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PRESENT: 001

Boykins

ABSENT WITH LEAVE: 009

Britt	Burton	Elliott	Hagan-Harrell	Kasten
Monaco	Stokan	Townley	Van Zandt	

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Lawson moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HS HB 1238, as amended, relating to delinquent property tax, was taken up by Representative Hoppe.

Representative Hoppe moved that Rule 60(c) be suspended and **CCR SCS HS HB 1238, as amended**, be adopted.

Which motion was adopted by the following vote:

AYES: 120

Abel	Alter	Auer	Backer	Barry 100
Bartle	Berkowitz	Berkstresser	Black	Blunt
Boucher 48	Bray 84	Britt	Brooks	Campbell
Champion	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Evans	Farnen	Fitzwater	Foley	Ford
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham 106	Graham 24	Gratz	Green
Gross	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 123	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kelly 27
Kennedy	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Liese	Lograsso	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Pouche 30
Pryor	Ransdall	Reid	Relford	Reynolds
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Surface	Thompson	Treadway	Troupe
Tudor	Van Zandt	Wagner	Ward	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 020

Ballard	Barnett	Boatright	Boykins	Chrismer
Enz	Foster	Griesheimer	Hanaway	Hartzler 124
Hohulin	Levin	Loudon	Murphy	Nordwald
Phillips	Purgason	Reinhart	Summers	Townley

PRESENT: 009

Akin	Bennett	Bonner	Gibbons	Hegeman
King	Legan	Linton	Vogel	

ABSENT WITH LEAVE: 012

Bartelsmeyer	Burton	Cierpiot	Elliott	Kasten
Kelley 47	Long	McBride	Richardson	Secrest
Stokan	Wiggins			

VACANCIES: 002

On motion of Representative Hoppe, **CCS SCS HS HB 1238** was read the third time and passed by the following vote:

AYES: 135

Abel	Alter	Auer	Backer	Barry 100
Bartle	Bennett	Berkowitz	Berkstresser	Black
Blunt	Bonner	Boucher 48	Bray 84	Britt
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Gross	Gunn	Hagan-Harrell	Hampton
Harlan	Hartzler 123	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Legan	Levin	Liese
Lograsso	Long	Luetkemeyer	Luetkenhaus	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Miller	Monaco	Murray	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Pouche 30	Pryor	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 016

Akin	Ballard	Barnett	Boatright	Boykins
Griesheimer	Hanaway	Hartzler 124	Hegeman	Linton
Loudon	Nordwald	Phillips	Purgason	Summers
Townley				

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Brooks	Burton	Elliott	Marble
Murphy	Sallee	Scott	Stokan	Wiggins

VACANCIES: 002

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 118

Abel	Auer	Backer	Barry 100	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Froelker	Gambaro	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Gross
Gunn	Hampton	Harlan	Hartzler 123	Hartzler 124
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kasten	Kelly 27	Kennedy	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Levin
Liese	Luetkenhaus	Marble	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Miller
Monaco	Murray	Myers	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Ransdall	Reid
Reinhart	Relford	Reynolds	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Scott	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Thompson	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 038

Akin	Alter	Ballard	Barnett	Boatright
Bonner	Enz	Gaskill	Griesheimer	Hanaway
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kelley 47	King	Legan	Linton	Lograsso
Long	Loudon	Luetkemeyer	McClelland	Murphy
Naeger	Nordwald	Patek	Phillips	Pouche 30
Pryor	Purgason	Richardson	Schwab	Secrest
Summers	Surface	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 005

Bartelsmeyer	Burton	Elliott	Hagan-Harrell	Stokan
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VACANCIES: 002

On motion of Representative Ward, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

CCR SS SCS HS HCS HBs 1566 & 1810, as amended, relating to small business tax credits, was taken up by Representative Bray.

Representative Bray moved that Rule 60(c) be suspended and **CCR SS SCS HS HCS HBs 1566 & 1810, as amended**, be adopted.

Representative Bray offered **Conference Committee Amendment No. 1**.

Conference Committee Amendment No. 1 was withdrawn.

CCR SS SCS HS HCS HBs 1566 & 1810, as amended, was laid over.

CCR HCS SS SS #3 SJR 35, as amended, relating to compensation of state elected officials, was taken up by Representative Graham (24).

Representative Crump moved the previous question on the motion to adopt **CCR HCS SS SS #3 SJR 35, as amended**.

Which motion was adopted by the following vote:

AYES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 067

Akin	Alter	Ballard	Barnett	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Champion	Chrismer	Cierpiot	Crawford	Dolan
Enz	Evans	Foster	Froelker	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kelley 47	King	Klindt	Legan	Levin
Linton	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Wright			

PRESENT: 000

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ABSENT WITH LEAVE: 012

Bartelsmeyer	Bray 84	Burton	Elliott	Gaskill
Gibbons	Kasten	Lograsso	Richardson	Skaggs
Stokan	Vogel			

VACANCIES: 002

Representative Hohulin requested verification of the roll call on the motion to call the previous question.

On motion of Representative Graham (24), **CCR HCS SS SS #3 SJR 35, as amended**, was adopted by the following vote:

AYES: 108

Abel	Akin	Alter	Backer	Bartle
Bennett	Berkowitz	Black	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Champion
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Foster
Fraser	Gambaro	Gaskill	George	Graham 106
Graham 24	Gratz	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Howerton	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Legan	Liese	Long	Luetkemeyer
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Murray	Myers	Naeger
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Reid	Relford	Richardson	Riley	Rizzo
Ross	Scheve	Schilling	Scott	Seigfreid
Selby	Shelton	Skaggs	Smith	Summers
Surface	Thompson	Troupe	Tudor	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 045

Auer	Ballard	Barnett	Barry 100	Berkstresser
Blunt	Boatright	Bonner	Chrismer	Dolan
Evans	Franklin	Froelker	Gibbons	Gross
Hanaway	Hegeman	Hendrickson	Hohulin	Kasten
Levin	Linton	Loudon	Marble	McClelland
Miller	Murphy	Nordwald	Ostmann	Patek
Phillips	Pouche 30	Pryor	Purgason	Reinhart
Reynolds	Ridgeway	Robirds	Sallee	Schwab
Secrest	Shields	Townley	Treadway	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartelsmeyer	Burton	Elliott	Griesheimer	Leake
Lograsso	Monaco	Stokan	Van Zandt	

VACANCIES: 002

On motion of Representative Graham (24), **CCS HCS SS SS#3 SJR 35** was truly agreed to and finally passed by the following vote:

AYES: 108

Abel	Akin	Alter	Backer	Bartle
Bennett	Berkowitz	Black	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Champion
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Fraser
Gambaro	Gaskill	George	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 123	Hartzler 124	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Kelley 47	Kelly 27	King	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Long	Luetkemeyer	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Murray	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Reid	Relford
Reynolds	Richardson	Riley	Rizzo	Ross
Sallee	Scheve	Schilling	Scott	Selby
Shelton	Skaggs	Smith	Summers	Surface
Thompson	Treadway	Troupe	Tudor	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 046

Auer	Ballard	Barnett	Barry 100	Berkstresser
Blunt	Boatright	Bonner	Chrismer	Dolan
Evans	Foster	Franklin	Froelker	Gibbons
Gross	Hanaway	Hegeman	Hendrickson	Hohulin
Howerton	Kasten	Kennedy	Kissell	Linton
Loudon	Marble	McClelland	Miller	Monaco
Murphy	Nordwald	Patek	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Ridgeway	Robirds
Schwab	Secrest	Seigfreid	Shields	Townley
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer	Burton	Elliott	Lograsso	Ostmann
Stokan	Van Zandt			

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Shelton, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative George moved that motion lay on the table.

The latter motion prevailed.

CCR SS HS HCS HBs 1652 & 1433, as amended, relating to tobacco products, was taken up by Representative Hoppe.

Representative Hoppe moved that Rule 60(c) be suspended and **CCR SS HS HCS HBs 1652 & 1433, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 053

Auer	Backer	Barnett	Barry 100	Berkowitz
Bray 84	Britt	Brooks	Clayton	Crump
Curls	Davis 122	Days	Dolan	Dougherty
Fitzwater	Foley	Fraser	Gambaro	Graham 24
Gratz	Green	Hilgemann	Hollingsworth	Hoppe
Kennedy	Kissell	Kreider	Lakin	Luetkenhaus
May 108	Mays 50	McBride	McLuckie	Merideth
Murray	O'Toole	Overschmidt	Relford	Reynolds
Scheve	Schilling	Selby	Skaggs	Smith
Thompson	Treadway	Tudor	Van Zandt	Ward
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 091

Abel	Akin	Alter	Ballard	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Bonner	Boykins	Campbell	Champion	Chrismer
Cierpiot	Crawford	Davis 63	Enz	Evans
Farnen	Ford	Foster	Froelker	Gaskill
George	Gibbons	Graham 106	Gross	Gunn
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hohulin	Holand	Howerton
Kasten	Kelley 47	Kelly 27	King	Klindt
Koller	Lawson	Legan	Levin	Liese
Linton	Long	Loudon	Luetkemeyer	Marble
McClelland	McKenna	Miller	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Parker
Phillips	Pouche 30	Pryor	Purgason	Ransdall
Reid	Reinhart	Richardson	Ridgeway	Riley
Rizzo	Robirds	Ross	Sallee	Schwab
Shelton	Shields	Summers	Surface	Townley
Troupe	Vogel	Wagner	Wiggins	Williams 121
Wright				

PRESENT: 002

Griesheimer Seigfreid

ABSENT WITH LEAVE: 015

Bartelsmeyer	Boucher 48	Burton	Elliott	Franklin
Hagan-Harrell	Harlan	Hosmer	Lograsso	Monaco
Patek	Scott	Secrest	Stokan	Williams 159

VACANCIES: 002

Representative Hoppe moved that the House refuse to adopt **CCR SS HS HCS HBs 1652 & 1433, as amended**, and request the Senate grant the House a further conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SCS SB 683, relating to traffic regulations, was taken up by Representative Koller.

Representative Koller offered **HS HCS SCS SB 683**.

Representative Bennett offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 683, Page 84, Section 2, Line 6, by inserting after said line the following:

“Section 3. The department of transportation shall have the authority to designate the lanes in which all trucks weighing more than twelve tons, including cargo, in motion upon a highway having three or more lanes of traffic proceeding in the same direction shall be driven, except that such regulations shall not apply when such trucks are overtaken and passing another vehicle or when preparing to make a proper left turn or when otherwise directed by traffic markings, signs or signals.”.

On motion of Representative Bennett, **House Amendment No. 1** was adopted.

Representative Dougherty offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 683, Page 2, Section A, Line 1, by inserting after all of said line the following:

"54.247. 1. Any city not within a county may, by ordinance, permit the city's treasurer's office to issue citations for violations of the city's moving traffic ordinances."; and

Further amend title, enacting clause and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 2** was adopted.

Representative Gratz offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 683, Page 37, Section 303.406, Line 21, by striking the words “[may] **shall**” and inserting in lieu thereof the word “**may**”; and

Further amend said bill and section, Page 37, Line 22, by striking the number “**2001**” and inserting in lieu thereof the number “**2002**”; and

Further amend said bill, Section 303.406, Page 38, Line 10, by striking the number “**2001**” and inserting in lieu thereof the following “[2001] **2002**”; and

Further amend said bill, Section 303.406, Page 37, Line 20, by inserting before the period “.” on said line the following:

“and shall receive funding from the “Motorist Insurance Identification Database Fund”, which is hereby created in the state treasury. Effective July 1, 2002, the state treasurer shall credit to and deposit in the motorist insurance identification database fund six percent of the net general revenue portion received from collections of the insurance premiums tax levied and collected pursuant to sections 148.310 to 148.461, RSMo.”; and

Further amend said bill, Section 303.412, Page 45, Line 16 of said page, by striking the number “**2002**” and inserting in lieu thereof the number “**2003**”; and

Further amend said bill, Section 303.415, Page 47, Line 3, by striking the number “**2001**” and inserting in lieu thereof the number “**2002**”; and

Further amend said bill and section, Page 47, Line 4 of said page, by striking the number “**2006**” and inserting in lieu thereof the number “**2007**”; and

Further amend said bill and section, Page 47, Line 7 of said page, by striking the number “**2001**” and inserting in lieu thereof the following: “[2001] **2002**”; and

Further amend said bill, section and page, Line 9 of said page, by striking the number “**2006**” and inserting in lieu thereof the number “**2007**”.

On motion of Representative Gratz, **House Amendment No. 3** was adopted.

Representative Wright offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 683, Page 55, Section 304.027, Line 3 of said page, by inserting after all of said line the following:

"304.157. 1. If a person abandons property, as defined in section 304.001, on any real property owned by another without the consent of the owner or person in possession of the property, at the request of the person in possession of the real property, any member of the state highway patrol, state water patrol, sheriff, or other law enforcement officer within his **or her** jurisdiction may authorize a towing company to remove such abandoned property from the property in the following circumstances:

- (1) The abandoned property is left unattended [for more than forty-eight hours]; or
- (2) In the judgment of a law enforcement officer, the abandoned property constitutes a safety hazard or unreasonably interferes with the use of the real property by the person in possession.

2. A local government agency may also provide for the towing of motor vehicles from real property under the authority of any local ordinance providing for the towing of vehicles which are derelict, junk, scrapped, disassembled or otherwise harmful to the public health under the terms of the ordinance. Any local government agency authorizing a tow [under] **pursuant to** this subsection shall report the tow to the local law enforcement agency within two hours with a crime inquiry and inspection report pursuant to section 304.155.

3. Neither the law enforcement officer, local government agency nor anyone having custody of abandoned property under his or her direction shall be liable for any damage to such abandoned property occasioned by a removal authorized by this section other than damages occasioned by negligence or by willful or wanton acts or omissions.

4. The owner of real property or lessee in lawful possession of the real property or the property or security manager of the real property may authorize a towing company to remove abandoned property or property parked in a restricted or assigned area without authorization by a law enforcement officer only when the owner, lessee or property or security manager of the real property is present. A property or security manager must be a full-time employee of a business entity. An authorization to tow pursuant to this subsection may be made only under any of the following circumstances:

- (1) There is displayed, in plain view at all entrances to the property, a sign not less than seventeen by twenty-two inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that unauthorized

abandoned property or property parked in a restricted or assigned area will be removed at the owner's expense, disclosing the maximum fee for all charges related to towing and storage, and containing the telephone number of the local traffic law enforcement agency where information can be obtained or a twenty-four-hour staffed emergency information telephone number by which the owner of the abandoned property or property parked in a restricted or assigned area may call to receive information regarding the location of such owner's property;

(2) [The abandoned property is left unattended on owner-occupied residential property with four residential units or less, and the owner, lessee or agent of the real property in lawful possession has notified the appropriate law enforcement agency, and ten hours have elapsed since that notification; or

(3)] The abandoned property is left unattended on private property, and the owner, lessee or agent of the real property in lawful possession of real property has notified the appropriate law enforcement agency[, and ninety-six hours have elapsed since that notification].

5. Pursuant to this section, any owner or lessee in lawful possession of real property that requests a towing company to tow abandoned property without authorization from a law enforcement officer shall at that time complete an abandoned property report which shall be considered a legal declaration subject to criminal penalty pursuant to section 575.060, RSMo. The report shall be in the form designed, printed and distributed by the director of revenue and shall contain the following:

(1) The year, model, make and abandoned property identification number of the property and the owner and any lienholders, if known;

(2) A description of any damage to the abandoned property noted by owner, lessee or property or security manager in possession of the real property;

(3) The license plate or registration number and the state of issuance, if available;

(4) The physical location of the property and the reason for requesting the property to be towed;

(5) The date the report is completed;

(6) The printed name, address and phone number of the owner, lessee or property or security manager in possession of the real property;

(7) The towing company's name and address;

(8) The signature of the towing operator;

(9) The signature of the owner, lessee or property or security manager attesting to the facts that the property has been abandoned for the time required by this section and that all statements on the report are true and correct to the best of the person's knowledge and belief and that the person is subject to the penalties for making false statements;

(10) Space for the name of the law enforcement agency notified of the towing of the abandoned property and for the signature of the law enforcement official receiving the report; and

(11) Any additional information the director of revenue deems appropriate.

6. Any towing company which tows abandoned property without authorization from a law enforcement officer pursuant to subsection 4 of this section shall deliver a copy of the abandoned property report to the local law enforcement agency having jurisdiction over the location from which the abandoned property was towed. The copy may be produced and sent by facsimile machine or other device which produces a near exact likeness of the print and signatures required, but only if the law enforcement agency receiving the report has the technological capability of receiving such copy and has registered the towing company for such purpose. The registration requirements shall not apply to law enforcement agencies located in counties of the third or fourth classification. The report shall be delivered within two hours if the tow was made from a signed location pursuant to subdivision (1) of subsection 4 of this section, otherwise the report shall be delivered within twenty-four hours.

7. The law enforcement agency receiving such abandoned property report must record the date on which the abandoned property report is filed with such agency and shall promptly make an inquiry into the national crime information center and any statewide Missouri law enforcement computer system to determine if the abandoned property has been reported as stolen. The law enforcement agency shall enter the information pertaining to the towed property into the statewide law enforcement computer system, and an officer shall sign the abandoned property report and provide the towing company with a signed copy. The department of revenue may design and sell to towing companies informational brochures outlining owner or lessee of real property obligations pursuant to this section.

8. The law enforcement agency receiving notification that abandoned property has been towed by a towing company shall search the records of the department of revenue and provide the towing company with the latest owner and lienholder information on the abandoned property. If the abandoned property is not claimed within ten working days, the towing company shall send a copy of the abandoned property report signed by a law enforcement officer to the department of revenue.

9. If any owner or lessee of real property knowingly authorizes the removal of abandoned property in violation of this section, then the owner or lessee shall be deemed guilty of a class C misdemeanor.

10. The provisions in this section shall only apply to any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification.

[304.157. 1. If a person abandons property, as defined in section 304.001, on any real property owned by another without the consent of the owner or person in possession of the property, at the request of the person in possession of the real property, any member of the state highway patrol, state water patrol, sheriff, or other law enforcement officer within his jurisdiction may authorize a towing company to remove such abandoned property from the property in the following circumstances:

(1) The abandoned property is left unattended for more than forty-eight hours; or
 (2) In the judgment of a law enforcement officer, the abandoned property constitutes a safety hazard or unreasonably interferes with the use of the real property by the person in possession.

2. The owner of real property or lessee or property or security manager in lawful possession of the real property may authorize a towing company to remove abandoned property or property parked in a restricted or assigned area without authorization by a law enforcement officer only when the owner, lessee or property or security manager of the real property is present. A property or security manager must be a full-time employee of a business entity. An authorization to tow under this subsection may be made only under any of the following circumstances:

(1) There is displayed, in plain view at all entrances to the property, a sign not less than seventeen by twenty-two inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that unauthorized abandoned property or property improperly parked in a restricted or assigned area will be removed at the owner's expense, disclosing the maximum fee for all charges related to towing and storage, and containing the telephone number of the local traffic law enforcement agency where information can be obtained; or a twenty-four-hour staffed emergency information telephone number, other than the number of a towing company, by which the owner of the abandoned property or improperly parked property may call to receive information regarding the location of such owner's property; or

(2) The abandoned property is on private property and lacks an engine, transmission, wheels, tires, doors, windshield or any other major part or equipment necessary to operate safely on the highways, the owner or lessee of the private property has notified the city police or county sheriff, as appropriate, and ninety-six hours have elapsed since that notification; or

(3) The abandoned property is left unattended on private property, and the owner, lessee or agent of the real property in lawful possession of real property has notified the appropriate law enforcement agency, and ten days have elapsed since that notification.

3. Pursuant to this section, any owner or lessee in lawful possession of real property that requests a towing company to tow abandoned property without authorization from a law enforcement officer shall within one hour of the tow file an abandoned property report with the appropriate law enforcement agency where the property is located. The report shall contain the following:

(1) The year, model, make and abandoned property identification number of the property and the owner and any lienholders, if known;

(2) A description of any damage to the abandoned property noted by owner, lessee or property or security manager in possession of the real property;

(3) The license plate or registration number and the state of issuance, if available;

(4) The physical location of the property and the reason for requesting the property to be towed;

(5) The date the report is completed;

(6) The signature and printed name, address and phone number of the owner, lessee or property or security manager in possession of the real property;

(7) The towing company's name and address;

(8) The signature of the towing operator;

(9) The name of the law enforcement agency notified of the abandoned property.

The department of revenue may design and make available to police agencies throughout the state a uniform "Authorization to Tow" form. The form shall contain lines for time, date, location, descriptive information of the vehicle, reason for towing, the tow operator and company and signature of authorizing officer. The cost of the forms shall be determined by the department of revenue. The completed form shall be issued by the authorizing officer to the

tow operator for that company's records as proof of authorization to tow a particular vehicle.

4. The law enforcement agency receiving such abandoned property report must record the date the abandoned property report is filed with such agency and within five days of such filing make an inquiry into the national crime information center and any statewide Missouri law enforcement computer system to determine if the abandoned property has been reported as stolen. The law enforcement agency shall enter the information pertaining to the towed property into the statewide enforcement computer system. The department of revenue may design and sell to towing companies informational brochures outlining owner or lessee of real property obligations pursuant to this section.

5. Neither the law enforcement officer nor anyone having custody of abandoned property under his direction shall be liable for any damage to such abandoned property occasioned by a removal authorized by this section other than damages occasioned by negligence or by willful or wanton acts or omissions.

6. Any towing company which tows abandoned property without authorization from a law enforcement officer pursuant to subdivision (1) of subsection 2 of this section shall within one hour of the tow report the event and the circumstances to the local law enforcement agency where the abandoned property report was filed.

7. The law enforcement agency receiving notification that abandoned property has been towed by a towing company shall record the date the property was towed and shall forward a copy of the abandoned property report to the director of revenue.

8. If any owner or lessee of real property authorizes the removal of abandoned property pursuant to subsection 2 of this section and such property is so removed and no sign is displayed prior to such removal as required pursuant to subsection 2 of this section, then the owner or lessee shall be deemed guilty of a class C misdemeanor.]" and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wright, **House Amendment No. 4** was adopted.

Representative Luetkenhaus offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 683, Pages 33 to 37, Section 303.190, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Luetkenhaus, **House Amendment No. 5** was adopted.

Representative Dougherty offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 683, Page 16, Section 301.010, Line 10 of said page, by inserting after all of said line the following:

"301.457. Any person who served in the Vietnam conflict and either currently serves in any branch of the United States armed forces or was honorably discharged from such service may apply for special motor vehicle license plates, either solely or jointly, for issuance either for any passenger motor vehicle subject to the registration fees provided in section 301.055 or for a nonlocal property-carrying commercial motor vehicle licensed for a gross weight of [nine] **six** thousand one pounds to [twelve] **eighteen** thousand pounds as provided in section 301.057, whether such vehicle is owned solely or jointly. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof of service in the Vietnam conflict and status as currently serving in a branch of the armed forces of the United States or as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility and annual payment of the fee required for personalized license plates prescribed by section 301.144, and other fees and documents which may be required by law, the director shall then issue license

plates bearing letters or numbers or a combination thereof as determined by the advisory committee established in section 301.129, with the words "VIETNAM VETERAN" in place of the words "SHOW-ME STATE". Such plates shall also bear an image of the Vietnam service medal. The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. No more than one set of special license plates shall be issued pursuant to this section to a qualified applicant. License plates issued pursuant to this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

301.463. The children's trust fund board established in section 210.170, RSMo, may authorize the use of their logo to be incorporated on multiyear personalized license plates as provided in this section. The license plate shall contain an emblem designed by the board depicting two handprints of a child and the words "Children's Trust Fund" and the children's trust fund logo in preference to the words "SHOW-ME STATE". The license plates shall have a common background and shall bear as many letters and numbers as will fit on the plate without damaging the plate's aesthetic appearance, as determined by the director of revenue. Any vehicle owner may annually apply to the board **or director** for the use of the logo. Upon annual application and payment of a twenty-five dollar logo use contribution to the board, the board shall issue to the vehicle owner, without further charge, a "logo use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. **Application for use of the logo and payment of the twenty-five dollar contribution may also be made at the time of registration to the director, who shall deposit such contribution in the state treasury to the credit of the children's trust fund.** Upon presentation of the annual statement [and payment of the fee required for personalized license plates in section 301.144], **or upon application to the director for use of the logo with the twenty-five dollar contribution,** and **presentation of** other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate described in this section to the vehicle owner. **A fee for the issuance of personalized license plates pursuant to section 301.144 shall not be required for plates issued pursuant to this section.** The license plate authorized by this section shall be issued with a design approved by both the board and the director of revenue. The bidding process used to select a vendor for the material to manufacture the license plates authorized by this section shall consider the aesthetic appearance of the plate. A vehicle owner, who was previously issued a plate with [an emblem] **a logo** authorized by this section and who does not provide [an emblem] **a logo** use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the [emblem] **logo**, as otherwise provided by law. Any contribution to the board derived from this section shall be deposited in the state treasury to the credit of the children's trust fund established in section 210.173, RSMo.

301.3035. 1. Any person, as prescribed in this section after an annual payment of a logo use authorization fee to the Missouri Botanical Garden, may receive special license plates for any passenger motor vehicle subject to the registration fees provided in section 301.055 or for a nonlocal property-carrying commercial motor vehicle licensed for a gross weight of six thousand to eighteen thousand pounds as provided in section 301.057, whether such vehicle is owned solely or jointly. The Missouri Botanical Garden hereby authorizes the use of its official logo to be affixed on multiyear personalized license plates as provided in this section. Any contribution to the Missouri Botanical Garden derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Missouri Botanical Garden. Any member of the Missouri Botanical Garden may annually apply for the use of the logo.

2. Upon annual application and payment of a thirty-five dollar logo use contribution to the Missouri Botanical Garden, the Missouri Botanical Garden shall issue to the vehicle owner, without further charge, a "logo use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of any fees and documents which may be required by law, the department of revenue shall issue to the vehicle owner a special license plate which shall bear the logo of the Missouri Botanical Garden. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

3. A vehicle owner who was previously issued a plate with the Missouri Botanical Garden's logo authorized by this section, but who does not provide a logo use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Botanical Garden's logo, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

301.3037. 1. Any person, as prescribed in this section after an annual payment of a logo use authorization fee to the Missouri State Humane Association, may receive special license plates for any passenger motor vehicle

subject to the registration fees provided in section 301.055 or for a nonlocal property-carrying commercial motor vehicle licensed for a gross weight of six thousand to eighteen thousand pounds as provided in section 301.057, whether such vehicle is owned solely or jointly. The Missouri State Humane Association hereby authorizes the use of its official logo to be affixed on multiyear personalized license plates as provided in this section. Any contribution to the Missouri State Humane Association derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Missouri State Humane Association. Any member of the Missouri State Humane Association may annually apply for the use of the logo.

2. Upon annual application and payment of a thirty-five dollar logo use contribution to the Missouri State Humane Association, the Missouri State Humane Association shall issue to the vehicle owner, without further charge, a "logo use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of any fees and documents which may be required by law, the department of revenue shall issue to the vehicle owner a special license plate which shall bear the logo of the Missouri State Humane Association. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

3. A vehicle owner who was previously issued a plate with the Missouri State Humane Association's logo authorized by this section, but who does not provide a logo use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri State Humane Association's logo, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

301.3039. 1. Any person, as prescribed in this section after an annual payment of a logo use authorization fee to the Saint Louis Zoo, may receive special license plates for any passenger motor vehicle subject to the registration fees provided in section 301.055 or for a nonlocal property-carrying commercial motor vehicle licensed for a gross weight of six thousand to eighteen thousand pounds as provided in section 301.057, whether such vehicle is owned solely or jointly. The Saint Louis Zoo hereby authorizes the use of its official logo to be affixed on multiyear personalized license plates as provided in this section. Any contribution to the Saint Louis Zoo derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Saint Louis Zoo. Any member of the Saint Louis Zoo may annually apply for the use of the logo.

2. Upon annual application and payment of a thirty-five dollar logo use contribution to the Saint Louis Zoo, the Saint Louis Zoo shall issue to the vehicle owner, without further charge, a "logo use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of any fees and documents which may be required by law, the department of revenue shall issue to the vehicle owner a special license plate which shall bear the logo of the Saint Louis Zoo. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

3. A vehicle owner who was previously issued a plate with the Saint Louis Zoo's logo authorized by this section, but who does not provide a logo use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Saint Louis Zoo's logo, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

301.3057. 1. Any person, as prescribed in this section after an annual payment of a logo use authorization fee to the Kansas City Zoo, may receive special license plates for any passenger motor vehicle subject to the registration fees provided in section 301.055 or for a nonlocal property-carrying commercial motor vehicle licensed for a gross weight of six thousand to eighteen thousand pounds as provided in section 301.057, whether such vehicle is owned solely or jointly. The Kansas City Zoo hereby authorizes the use of its official logo to be affixed on multiyear personalized license plates as provided in this section. Any contribution to the Kansas City Zoo derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Kansas City Zoo. Any member of the Kansas City Zoo may annually apply for the use of the logo.

2. Upon annual application and payment of a thirty-five dollar logo use contribution to the Kansas City Zoo, the Kansas City Zoo shall issue to the vehicle owner, without further charge, a "logo use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of any fees and documents which may be required by law, the department of revenue shall issue to the vehicle owner a special license plate which shall

bear the logo of the Kansas City Zoo. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

3. A vehicle owner who was previously issued a plate with the Kansas City Zoo's logo authorized by this section, but who does not provide a logo use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Kansas City Zoo's logo, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

301.3059. 1. Any person, as prescribed in this section after an annual payment of a logo use authorization fee to the Springfield Zoo, may receive special license plates for any passenger motor vehicle subject to the registration fees provided in section 301.055 or for a nonlocal property-carrying commercial motor vehicle licensed for a gross weight of six thousand to eighteen thousand pounds as provided in section 301.057, whether such vehicle is owned solely or jointly. The Springfield Zoo hereby authorizes the use of its official logo to be affixed on multiyear personalized license plates as provided in this section. Any contribution to the Springfield Zoo derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Springfield Zoo. Any member of the Springfield Zoo may annually apply for the use of the logo.

2. Upon annual application and payment of a thirty-five dollar logo use contribution to the Springfield Zoo, the Springfield Zoo shall issue to the vehicle owner, without further charge, a "logo use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of any fees and documents which may be required by law, the department of revenue shall issue to the vehicle owner a special license plate which shall bear the logo of the Springfield Zoo. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

3. A vehicle owner who was previously issued a plate with the Springfield Zoo's logo authorized by this section, but who does not provide a logo use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Springfield Zoo's logo, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 6** was adopted.

Representative Crump moved the previous question on the motion to adopt **HS HCS SCS SB 683, as amended.**

Which motion was adopted by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Gratz	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Liese	Luetkenhaus	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Relford	Reynolds	Riley	Rizzo

Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 067

Akin	Alter	Ballard	Barnett	Bartle
Berkstresser	Black	Blunt	Boatright	Champion
Chrismer	Cierpiot	Crawford	Dolan	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kasten	Kelley 47	Klindt	Legan
Levin	Lograsso	Long	Loudon	Luetkemeyer
Marble	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Purgason	Reid	Reinhart	Richardson	Ridgeway
Robirds	Ross	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Bennett	Burton	Elliott	King
Linton	Monaco	Pryor	Sallee	Stokan

VACANCIES: 002

On motion of Representative Koller, **HS HCS SCS SB 683, as amended**, was adopted.

On motion of Representative Koller, **HS HCS SCS SB 683, as amended**, was read the third time and passed by the following vote:

AYES: 140

Akin	Alter	Auer	Backer	Barnett
Bartle	Bennett	Berkowitz	Berkstresser	Black
Blunt	Boatright	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Champion
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hampton	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth
Hoppe	Howerton	Kelley 47	Kelly 27	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkemeyer	Luetkenhaus
May 108	Mays 50	McBride	McClelland	McKenna
Merideth	Miller	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson

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Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 008

Ballard	Chrismer	Hanaway	Holand	Linton
Marble	Purgason	Sallee		

PRESENT: 001

Dolan

ABSENT WITH LEAVE: 012

Abel	Barry 100	Bartelsmeyer	Burton	Elliott
Harlan	Hosmer	Kasten	McLuckie	Monaco
Ross	Stokan			

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Riley moved that the vote by which the bill passed be reconsidered.

Representative Luetkenhaus moved that motion lay on the table.

The latter motion prevailed.

HCS SS SCS SB 885, relating to state employees health plan, was taken up by Representative Smith.

Representative Smith moved that **HCS SS SCS SB 885** be adopted.

Which motion was defeated.

On motion of Representative Smith, **SS SCS SB 885** was truly agreed to and finally passed by the following vote:

AYES: 142

Abel	Akin	Alter	Backer	Barnett
Barry 100	Bartle	Bennett	Berkowitz	Berkstresser
Black	Blunt	Bonner	Boucher 48	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Enz
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelly 27	Kennedy	King	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Legan

Levin	Liese	Long	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Skaggs	Smith	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 008

Ballard	Boatright	Evans	Kelley 47	Linton
Lograsso	Loudon	Murphy		

PRESENT: 003

Auer	Boykins	Shields
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ABSENT WITH LEAVE: 008

Bartelsmeyer	Burton	Dougherty	Elliott	Harlan
Pryor	Schilling	Stokan		

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Skaggs, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SCS SB 894, as amended**, and has taken up and passed **CCS HS HCS SCS SB 894**.

Emergency clause defeated.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to adopt the **HS HCS SB 996, as amended**, and requests the House to recede from its position and take up and pass **SB 996**.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 894**

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 894; and
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 894; and
3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:

/s/ Tom Hoppe
/s/ Phil Smith
/s/ Mark Richardson
/s/ John Griesheimer

FOR THE SENATE:

/s/ Ed Quick
/s/ Sidney Johnson
/s/ Jim Mathewson
/s/ Betty Sims
/s/ Marvin Singleton

BILL IN CONFERENCE

CCR HS HCS SCS SB 894, as amended, relating to delinquent property taxes, was taken up by Representative Hoppe.

Representative Hoppe moved that Rule 60(c) be suspended and **CCR HS HCS SCS SB 894, as amended**, be adopted.

Which motion was adopted by the following vote:

AYES: 123

Abel	Akin	Alter	Auer	Backer
Barnett	Barry 100	Bartle	Bennett	Berkowitz
Berkstresser	Black	Blunt	Boucher 48	Bray 84
Britt	Brooks	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls

Davis 122	Davis 63	Days	Enz	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Fraser	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Levin	Liese
Long	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Murray	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Parker	Purgason	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Roberts	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Skaggs	Smith	Summers	Surface
Thompson	Treadway	Troupe	Tudor	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 42	Wright	Mr. Speaker		

NOES: 022

Boatright	Bonner	Boykins	Evans	Froelker
Gross	Hartzler 124	Hegeman	Hendrickson	Hohulin
Linton	Lograsso	Loudon	Miller	Nordwald
Ostmann	Patek	Phillips	Pouche 30	Pryor
Shields	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 016

Ballard	Bartelsmeyer	Burton	Dolan	Dougherty
Elliott	Kelly 27	Legan	McClelland	Monaco
Murphy	Sallee	Schilling	Stokan	Van Zandt
Wilson 25				

VACANCIES: 002

On motion of Representative Hoppe, **CCS HS HCS SCS SB 894** was truly agreed to and finally passed by the following vote:

AYES: 135

Abel	Akin	Alter	Backer	Barnett
Bartle	Bennett	Berkowitz	Berkstresser	Black
Blunt	Boucher 48	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Foster	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gibbons	Graham 106	Graham 24	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler 123	Hartzler 124	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Lawson	Legan	Levin	Liese
Lograsso	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McClelland	McKenna	McLuckie
Merideth	Murray	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Parker	Patek
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo

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Robirds	Ross	Sallee	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Summers	Surface
Thompson	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 016

Auer	Ballard	Boatright	Bonner	Boykins
Ford	Hegeman	Hendrickson	Loudon	Miller
Murphy	Ostmann	Phillips	Pouche 30	Pryor
Townley				

PRESENT: 000

ABSENT WITH LEAVE: 010

Barry 100	Bartelsmeyer	Burton	Elliott	Kelly 27
Linton	Long	Monaco	Scheve	Stokan

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Clayton, title to the bill was agreed to.

Representative Campbell moved that the vote by which the bill passed be reconsidered.

Representative Britt moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

HCS SB 573, relating to state school aid; teachers' salaries, was taken up by Representative Kissell.

Representative Kissell moved that **HCS SB 573** be adopted.

Which motion was defeated.

Representative Scheve offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 573, by adding the following:

"163.031. 1. School districts which meet the requirements of section 163.021 shall be entitled to an amount computed as follows: an amount determined by multiplying the number of eligible pupils by the lesser of the district's equalized operating levy for school purposes as defined in section 163.011 or two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor plus an amount determined by multiplying the number of eligible pupils by the greater of zero or the district's equalized operating levy for school purposes as defined in section 163.011 minus two dollars and seventy-five cents per one

hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor. For the purposes of this section, the proration factor shall be equal to the sum of the total appropriation for distribution under subsections 1 and 2 of this section; and the state total of the deductions as calculated in subsection 2 of this section which do not exceed the district entitlements as adjusted by the same proration factor; divided by the amount of the state total of district entitlements before proration as calculated pursuant to this subsection; provided that, if the proration factor so calculated is greater than one, the proration factor for line 1(b) shall be the greater of one or the proration factor for line 1(a) minus five hundredths, and provided that if the proration factor so calculated is less than one, the proration factor for line 1(a) shall be the lesser of one or the proration factor for line 1(b) plus five hundredths.

2. From the district entitlement for each district there shall be deducted the following amounts: an amount determined by multiplying the district equalized assessed valuation by the district's equalized operating levy for school purposes times the district income factor plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year; one hundred percent of the amount received the previous year for school purposes from intangible taxes, fines, forfeitures and escheats, payments in lieu of taxes and receipts from state assessed railroad and utility tax, except that any penalty paid after July 1, 1995, by a concentrated animal feeding operation as defined by the department of natural resources rule shall not be included; one hundred percent of the amounts received the previous year for school purposes from federal properties pursuant to sections 12.070 and 12.080, RSMo; federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less fifty thousand dollars multiplied by ninety percent or the maximum percentage allowed by federal regulation if that percentage is less than ninety; fifty percent, or the percentage otherwise provided in section 163.087, of Proposition C revenues received the previous year for school purposes from the school district trust fund pursuant to section 163.087; one hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo; and one hundred percent of the amount received the previous year for school purposes from the free textbook fund, pursuant to section 148.360, RSMo.

3. School districts which meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. There shall be individual proration factors for each categorical entitlement provided for in this subsection, and each proration factor shall be determined by annual appropriations, but no categorical proration factor shall exceed the entitlement proration factor established pursuant to subsection 1 of this section, except that the vocational education entitlement proration factor established pursuant to line 16 of subsection 6 of this section and the educational and screening program entitlements proration factor established pursuant to line 17 of subsection 6 of this section may exceed the entitlement proration factor established pursuant to subsection 1 of this section. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs pursuant to section 163.161 multiplied by the proration factor; the special education approved or allowed cost entitlement for the district, provided for by section 162.975, RSMo, multiplied by the proration factor; seventy-five percent of the district gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, multiplied by the proration factor; the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, multiplied by twenty percent, for a district with an operating levy in excess of two dollars and seventy-five cents per one hundred dollars assessed valuation, or twenty-two percent, otherwise times the guaranteed tax base per eligible pupil times two dollars and seventy-five cents per one hundred dollars assessed valuation times the proration factor plus the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, times thirty percent times the guaranteed tax base per eligible pupil times the following quantity: (the greater of zero or the district's operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) times one or, beginning in the fifth year following the effective date of this section, the quotient of the district's fiscal instructional ratio of efficiency for the prior year divided by the fiscal year 1998 statewide average fiscal instructional ratio of efficiency, if the district's prior year fiscal instructional ratio of efficiency is at least five percent below the fiscal year 1998 statewide average) times the proration factor, minus court-ordered state desegregation aid received by the district for operating purposes; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515, RSMo, multiplied by the proration factor; the vocational education entitlement for the district, as provided for in section 167.332, RSMo, multiplied by the proration factor and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699, RSMo, times the proration factor.

4. Each district's apportionment shall be the prorated categorical add-ons plus the greater of the district's prorated entitlement minus the total deductions for the district or zero.

5. (1) In the 1993-94 school year and all subsequent school years, pursuant to section 10(c) of article X of the state constitution, a school district shall adjust upward its operating levy for school purposes to the extent necessary for

the district to at least maintain the current operating expenditures per pupil received by the district from all sources in the 1992-93 school year, except that its operating levy for school purposes shall not exceed the highest tax rate in effect subsequent to the 1980 tax year, or the minimum rate required by subsection 2 of section 163.021, whichever is less.

(2) The revenue per eligible pupil received by a district from the following sources: line 1 minus line 10, or zero if line 1 minus line 10 is less than zero, plus line 14 of subsection 6 of this section, shall not be less than the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14 per eligible pupil that exceeds the line 14 per pupil amount from the 1997-98 school year, or the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14(a) per eligible pupil times the quotient of line 1 minus line 10, divided by the number of eligible pupils, or zero if line 1 minus line 10 is less than zero, divided by the revenue per eligible pupil received by the district in the 1992-93 school year from the foundation formula entitlement payment amount, whichever is greater. The department of elementary and secondary education shall make an addition in the payment amount of line 19 of subsection 6 of this section to assure compliance with the provisions contained in this section. **Beginning with the 2001-2001 school year, the eligible pupil number used in these calculations shall exclude voluntary transfer students, and the 1997-1998 line 14 total amount and amount per pupil will be recalculated to exclude the voluntary transfer students originally in the calculation. Beginning with the 2001-2001 school year, for any district with voluntary transfer students in 1997-1998, the current year per eligible pupil payment amount shall not be less than the previous year per eligible pupil payment amount.**

(3) For any school district which meets the eligibility criteria for state aid as established in section 163.021, but which under subsections 1 to 4 of this section, receives no state aid for two successive school years, other than categorical add-ons, by August first following the second such school year, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, RSMo. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school district related to the authority of the state board of education to classify school districts pursuant to section 161.092, RSMo, and such other rules as determined by the commissioner of education, except that such waivers shall not include the provisions established pursuant to sections 160.514 and 160.518, RSMo.

(4) In the 1993-94 school year and each school year thereafter for two years, those districts which are entitled to receive state aid under subsections 1 to 4 of this section, shall receive state aid in an amount per eligible pupil as provided in this subsection. For the 1993-94 school year, the amount per eligible pupil shall be twenty-five percent of the amount of state aid per eligible pupil calculated for the district for the 1993-94 school year pursuant to subsections 1 to 4 of this section plus seventy-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1993-94 school year pursuant to subsections 1 to 4 of this section. For the 1994-95 school year, the amount per eligible pupil shall be fifty percent of the amount of state aid per eligible pupil calculated for the district for the 1994-95 school year pursuant to subsections 1 to 4 of this section plus fifty percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1994-95 school year pursuant to subsections 1 to 4 of this section. For the 1995-96 school year, the amount of state aid per eligible pupil shall be seventy-five percent of the amount of state aid per eligible pupil calculated for the district for the 1995-96 school year pursuant to subsections 1 to 4 of this section plus twenty-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1995-96 school year pursuant to subsections 1 to 4 of this section. Nothing in this subdivision shall be construed to limit the authority of a school district to raise its district operating levy pursuant to subdivision (1) of this subsection.

(5) If the total of state aid apportionments to all districts pursuant to subdivision (3) of this subsection is less than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then the difference shall be deposited in the outstanding schools trust fund. If the total of state aid apportionments to all districts pursuant to subdivision (1) of this subsection is greater than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then funds shall be transferred from the outstanding schools trust fund to the state school moneys fund to the extent necessary to fund the district entitlements as modified by subdivision (4) of this subsection for that school year with a district entitlement proration factor no less than one and such transfer shall be

given priority over all other uses for the outstanding schools trust fund as otherwise provided by law.

6. State aid shall be determined as follows:

District Entitlement

- 1(a). Number of eligible pupils x (lesser of district's equalized operating levy for school purposes or two dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP).....\$.....
- 1(b). Number of eligible pupils x (greater of: 0, or district's equalized operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP)..... \$.....

Deductions

2. District equalized assessed valuation x district income factor x district's equalized operating levy for school purposes plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year..... \$.....
3. Intangible taxes, fines, forfeitures, escheats, payments in lieu of taxes, etc. (100% of the amount received the previous year for school purposes)..... \$.....
4. Receipts from state assessed railroad and utility tax (100% of the amount received the previous year for school purposes)..... \$.....
5. Receipts from federal properties pursuant to sections 12.070 and 12.080, RSMo (100% of the amount received the previous year for school purposes)..... \$.....
6. (Federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less \$50,000) x 90% or the maximum percentage allowed by federal regulations if less than 90%..... \$.....
7. Fifty percent or the percentage otherwise provided in section 163.087 of Proposition C receipts from the school district trust fund received the previous year for school purposes pursuant to section 163.087..... \$.....
8. One hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo..... \$.....
9. One hundred percent of the amount received the previous year for school purposes from the free textbook fund pursuant to section 148.360, RSMo..... \$.....
10. Total deductions (sum of lines 2-9)..... \$.....

Categorical Add-ons

11. The amount distributed pursuant to section 163.161 x proration..... \$.....
12. Special education approved or allowed cost entitlement for the district pursuant to section 162.975, RSMo, x proration..... \$.....
13. Seventy-five percent of the gifted education

- approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, x proration.....\$.....
- 14(a). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011, x .20, if operating levy in excess of \$2.75, or .22, otherwise x GTB per EP x \$2.75 per \$100 AV x proration..... \$.....
- 14(b). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011 x .30 x GTB x ((the greater of zero or the district's adjusted operating levy minus \$2.75 per \$100 AV) x (1.0 or, beginning in the fifth year following the effective date of this section, the district's FIRE for the prior year/statewide average FIRE for FY 1998, if the district's prior year FIRE is at least five percent below the FY 1998 statewide average FIRE) x proration) - court-ordered state desegregation aid received by the district for operating purposes..... \$.....
15. Career ladder entitlement for the district as provided for in sections 168.500 to 168.515, RSMo, x proration..... \$.....
16. Vocational education entitlements for the district as provided in section 167.332, RSMo, x proration..... \$.....
17. Educational and screening program entitlements for the district as provided in sections 178.691 to 178.699, RSMo, x proration..... \$.....
18. Sum of categorical add-ons for the district (sum of lines 11-17)..... \$.....
19. District apportionment (line 18 plus the greater of line 1 minus line 10 or zero)\$.....

7. Revenue received for school purposes by each school district pursuant to this section shall be placed in each of the incidental and teachers' funds based on the ratio of the property tax rate in the district for that fund to the total tax rate in the district for the two funds.

8. In addition to the penalty for line 14 described in subsection 6 of this section, beginning in school year 2004-05, any increase in a school district's funds received pursuant to line 14 of subsection 6 of this section over the 1997-98 school year shall be reduced by one percent for each full percentage point the percentage of the district's pupils scoring at or above five percent below the statewide average level on either mathematics or reading is less than sixty-five percent.

9. If a school district's annual audit discloses that students were inappropriately identified as eligible for free or reduced-price lunch and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of line 14 aid paid on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of the line 14 aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.”.

Representative Patek raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Relford offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND Senate Bill No. 573, Page 1, by inserting the following:

“163.031. 1. School districts which meet the requirements of section 163.021 shall be entitled to an amount computed as follows: an amount determined by multiplying the number of eligible pupils by the lesser of the district's equalized operating levy for school purposes as defined in section 163.011 or two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor plus an amount determined by multiplying the number of eligible pupils by the greater of zero or the district's equalized operating levy for school purposes as defined in section 163.011 minus two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor. For the purposes of this section, the proration factor shall be equal to the sum of the total appropriation for distribution under subsections 1 and 2 of this section; and the state total of the deductions as calculated in subsection 2 of this section which do not exceed the district entitlements as adjusted by the same proration factor; divided by the amount of the state total of district entitlements before proration as calculated pursuant to this subsection; provided that, if the proration factor so calculated is greater than one, the proration factor for line 1(b) shall be the greater of one or the proration factor for line 1(a) minus five hundredths, and provided that if the proration factor so calculated is less than one, the proration factor for line 1(a) shall be the lesser of one or the proration factor for line 1(b) plus five hundredths.

2. From the district entitlement for each district there shall be deducted the following amounts: an amount determined by multiplying the district equalized assessed valuation by the district's equalized operating levy for school purposes times the district income factor plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year; one hundred percent of the amount received the previous year for school purposes from intangible taxes, fines, forfeitures and escheats, payments in lieu of taxes and receipts from state assessed railroad and utility tax, except that any penalty paid after July 1, 1995, by a concentrated animal feeding operation as defined by the department of natural resources rule shall not be included; one hundred percent of the amounts received the previous year for school purposes from federal properties pursuant to sections 12.070 and 12.080, RSMo; federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less fifty thousand dollars multiplied by ninety percent or the maximum percentage allowed by federal regulation if that percentage is less than ninety; fifty percent, or the percentage otherwise provided in section 163.087, of Proposition C revenues received the previous year for school purposes from the school district trust fund pursuant to section 163.087; one hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo; and one hundred percent of the amount received the previous year for school purposes from the free textbook fund, pursuant to section 148.360, RSMo.

3. School districts which meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. There shall be individual proration factors for each categorical entitlement provided for in this subsection, and each proration factor shall be determined by annual appropriations, but no categorical proration factor shall exceed the entitlement proration factor established pursuant to subsection 1 of this section, except that the vocational education entitlement proration factor established pursuant to line 16 of subsection 6 of this section and the educational and screening program entitlements proration factor established pursuant to line 17 of subsection 6 of this section may exceed the entitlement proration factor established pursuant to subsection 1 of this section. The categorical add-on for the district shall be the sum of: **seventy-five percent of the costs of adopting and providing a violence prevention program pursuant to section 161.650, RSMo, multiplied by the proration factor;** seventy-five percent of the district allowable transportation costs pursuant to section 163.161 multiplied by the proration factor; the special education approved or allowed cost entitlement for the district, provided for by section 162.975, RSMo, multiplied by the proration factor; seventy-five percent of the district gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, multiplied by the proration factor; the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, multiplied by twenty percent, for a district with an operating levy in excess of two dollars and seventy-five cents per one hundred dollars assessed valuation, or twenty-two percent, otherwise times the guaranteed tax base per eligible pupil times two dollars and seventy-five cents per one hundred dollars assessed valuation times the proration factor plus the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, times thirty percent times the guaranteed tax base per eligible pupil times the following

quantity: (the greater of zero or the district's operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) times one or, beginning in the fifth year following the effective date of this section, the quotient of the district's fiscal instructional ratio of efficiency for the prior year divided by the fiscal year 1998 statewide average fiscal instructional ratio of efficiency, if the district's prior year fiscal instructional ratio of efficiency is at least five percent below the fiscal year 1998 statewide average) times the proration factor, minus court-ordered state desegregation aid received by the district for operating purposes **provided that an increase in the payment amount of line (a) shall be made by the department of elementary and secondary education, if needed, to ensure that a district receives no less total revenue from lines 14 (a) and 14 (b) than the district would receive if it levied an operating levy no greater than two dollars and seventy-five cents per one hundred dollars assessed valuation**; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515, RSMo, multiplied by the proration factor; the vocational education entitlement for the district, as provided for in section 167.332, RSMo, multiplied by the proration factor and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699, RSMo, times the proration factor.

4. Each district's apportionment shall be the prorated categorical add-ons plus the greater of the district's prorated entitlement minus the total deductions for the district or zero.

5. (1) In the 1993-94 school year and all subsequent school years, pursuant to section 10(c) of article X of the state constitution, a school district shall adjust upward its operating levy for school purposes to the extent necessary for the district to at least maintain the current operating expenditures per pupil received by the district from all sources in the 1992-93 school year, except that its operating levy for school purposes shall not exceed the highest tax rate in effect subsequent to the 1980 tax year, or the minimum rate required by subsection 2 of section 163.021, whichever is less.

(2) The revenue per eligible pupil received by a district from the following sources: line 1 minus line 10, or zero if line 1 minus line 10 is less than zero, plus line 14 of subsection 6 of this section, shall not be less than the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14 per eligible pupil that exceeds the line 14 per pupil amount from the 1997-98 school year, or the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14(a) per eligible pupil times the quotient of line 1 minus line 10, divided by the number of eligible pupils, or zero if line 1 minus line 10 is less than zero, divided by the revenue per eligible pupil received by the district in the 1992-93 school year from the foundation formula entitlement payment amount, whichever is greater. The department of elementary and secondary education shall make an addition in the payment amount of line 19 of subsection 6 of this section to assure compliance with the provisions contained in this section. **Beginning with the 2001-2001 school year, the eligible pupil number used in these calculations shall exclude voluntary transfer students, and the 1997-1998 line 14 total amount and amount per pupil will be recalculated to exclude the voluntary transfer students originally in the calculation. Beginning with the 2001-2001 school year, for any district with voluntary transfer students in 1997-1998, the current year per eligible pupil payment amount shall not be less than the previous year per eligible pupil payment amount.**

(3) For any school district which meets the eligibility criteria for state aid as established in section 163.021, but which under subsections 1 to 4 of this section, receives no state aid for two successive school years, other than categorical add-ons, by August first following the second such school year, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, RSMo. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school district related to the authority of the state board of education to classify school districts pursuant to section 161.092, RSMo, and such other rules as determined by the commissioner of education, except that such waivers shall not include the provisions established pursuant to sections 160.514 and 160.518, RSMo.

(4) In the 1993-94 school year and each school year thereafter for two years, those districts which are entitled to receive state aid under subsections 1 to 4 of this section, shall receive state aid in an amount per eligible pupil as provided in this subsection. For the 1993-94 school year, the amount per eligible pupil shall be twenty-five percent of the amount of state aid per eligible pupil calculated for the district for the 1993-94 school year pursuant to subsections 1 to 4 of this section plus seventy-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1993-94 school year pursuant to subsections 1 to 4 of this section. For the 1994-95 school year, the amount per eligible pupil shall be fifty

percent of the amount of state aid per eligible pupil calculated for the district for the 1994-95 school year pursuant to subsections 1 to 4 of this section plus fifty percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1994-95 school year pursuant to subsections 1 to 4 of this section. For the 1995-96 school year, the amount of state aid per eligible pupil shall be seventy-five percent of the amount of state aid per eligible pupil calculated for the district for the 1995-96 school year pursuant to subsections 1 to 4 of this section plus twenty-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1995-96 school year pursuant to subsections 1 to 4 of this section. Nothing in this subdivision shall be construed to limit the authority of a school district to raise its district operating levy pursuant to subdivision (1) of this subsection.

(5) If the total of state aid apportionments to all districts pursuant to subdivision (3) of this subsection is less than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then the difference shall be deposited in the outstanding schools trust fund. If the total of state aid apportionments to all districts pursuant to subdivision (1) of this subsection is greater than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then funds shall be transferred from the outstanding schools trust fund to the state school moneys fund to the extent necessary to fund the district entitlements as modified by subdivision (4) of this subsection for that school year with a district entitlement proration factor no less than one and such transfer shall be given priority over all other uses for the outstanding schools trust fund as otherwise provided by law.

6. State aid shall be determined as follows:

District Entitlement

- 1(a). Number of eligible pupils x (lesser of district's equalized operating levy for school purposes or two dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP)..... \$.....
- 1(b). Number of eligible pupils x (greater of: 0, or district's equalized operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP)..... \$.....

Deductions

2. District equalized assessed valuation x district income factor x district's equalized operating levy for school purposes plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year..... \$.....
3. Intangible taxes, fines, forfeitures, escheats, payments in lieu of taxes, etc. (100% of the amount received the previous year for school purposes)..... \$.....
4. Receipts from state assessed railroad and utility tax (100% of the amount received the previous year for school purposes)..... \$.....
5. Receipts from federal properties pursuant to sections 12.070 and 12.080, RSMo (100% of the amount received the previous year for school purposes)..... \$.....
6. (Federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less \$50,000) x 90% or the maximum percentage allowed by federal regulations if less than 90%..... \$.....
7. Fifty percent or the percentage otherwise provided in section 163.087 of Proposition C receipts from the school

- district trust fund received the previous year for school purposes pursuant to section 163.087 \$.....
8. One hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo..... \$.....
9. One hundred percent of the amount received the previous year for school purposes from the free textbook fund pursuant to section 148.360, RSMo..... \$.....
10. Total deductions (sum of lines 2-9).....\$.....
- Categorical Add-ons
11. The amount distributed pursuant to section 163.161 x proration..... \$.....
12. Special education approved or allowed cost entitlement for the district pursuant to section 162.975, RSMo, x proration \$.....
13. Seventy-five percent of the gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, x proration..... \$.....
- 14(a). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011, x .20, if operating levy in excess of \$2.75, or .22, otherwise x GTB per EP x \$2.75 per \$100 AV x proration\$.....
- 14(b). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011 x .30 x GTB x ((the greater of zero or the district's adjusted operating levy minus \$2.75 per \$100 AV) x (1.0 or, beginning in the fifth year following the effective date of this section, the district's FIRE for the prior year/statewide average FIRE for FY 1998, if the district's prior year FIRE is at least five percent below the FY 1998 statewide average FIRE) x proration) - court-ordered state desegregation aid received by the district for operating purposes \$.....
15. Career ladder entitlement for the district as provided for in sections 168.500 to 168.515, RSMo, x proration..... \$.....
16. Vocational education entitlements for the district as provided in section 167.332, RSMo, x proration..... \$.....
17. Educational and screening program entitlements for the district as provided in sections 178.691 to 178.699, RSMo, x proration..... \$.....
18. Sum of categorical add-ons for the district (sum of lines 11-17)..... \$.....
19. District apportionment (line 18 plus the greater of line 1 minus line 10 or zero).....\$.....

7. Revenue received for school purposes by each school district pursuant to this section shall be placed in each of the incidental and teachers' funds based on the ratio of the property tax rate in the district for that fund to the total tax rate in the district for the two funds.

8. In addition to the penalty for line 14 described in subsection 6 of this section, beginning in school year 2004-05, any increase in a school district's funds received pursuant to line 14 of subsection 6 of this section over the 1997-98 school year shall be reduced by one percent for each full percentage point the percentage of the district's pupils scoring at or above five percent below the statewide average level on either mathematics or reading is less than sixty-five percent.

9. If a school district's annual audit discloses that students were inappropriately identified as eligible for free or reduced-price lunch and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of line 14 aid paid on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of the line 14 aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.”; and

Further amend said Section 163.036, Page 4, by inserting the following:

“167.645. [No public school student shall be promoted to a higher grade level unless that student has a reading ability level at or above one grade level below the student's grade level; except that the provisions of this subsection shall not apply to students receiving special education services pursuant to sections 162.670 to 162.999, RSMo.] **1. For purposes of this section, the following terms mean:**

(1) "Reading assessment", a recognized method of judging a student's reading ability, with results expressed as reading at a particular grade level. The term reading assessment shall include, but is not limited to, standard checklists designed for use as a student reads out loud, paper-and-pencil tests promulgated by nationally recognized organizations and other recognized methods of determining a student's reading accuracy, expression, fluency and comprehension in order to make a determination of the student's grade-level reading ability. Assessments which do not give a grade-level result may be used in combination with other assessments to reach a grade-level determination. Districts are encouraged but not required to select assessment methods identified pursuant to section 167.346. Districts are also encouraged to use multiple methods of assessment;

(2) "Summer school", for reading instruction purposes, a minimum of forty hours of reading instruction and practice. A school district may arrange the hours and days of instruction to coordinate with its regular program of summer school.

2. For purposes of this section, methods of reading assessment shall be determined by each school district. Unless a student has been determined in the current school year to be reading at grade level or above, each school district shall administer a reading assessment or set of assessments to each student within forty-five days of the end of the third-grade year, except that the assessment and retention provisions of this section shall not apply to:

(1) Students receiving special education services under an individualized education plan pursuant to sections 162.670 to 162.999, RSMo;

(2) Students whose second language is English;

(3) Students in an educational plan under section 504 of the Federal Rehabilitation Act of 1973, 20 U.S.C. Section 794, as amended, where it is determined that such student's disability affects such student's ability to read; or

(4) Students who have been determined, prior to the beginning of any school year, to have an intellectual ability insufficient to meet the reading requirement set out in this section. Although students in this category are exempt from the assessment and retention provisions of this section, districts shall provide reading improvement plans for these students.

The assessment required by this subsection shall also be required for students who enter a district in grades 4 or 5 unless such student has been determined in the current school year to be reading at grade level or above.

3. (1) For each student whose third-grade reading assessment determines that such student is reading below second-grade level, the school district shall design a reading improvement plan for the student's fourth-grade year.

(2) For the 2000-2001 school year only, school districts shall administer a reading assessment or set of assessments to each fourth and fifth grade student within forty-five days of the end of the school year, unless such student has been determined in the current school year to be reading at grade level or above. For any fourth grade student who is reading below third grade level and for any fifth grade student who is reading below fourth grade level, the school district shall design a reading improvement plan for the student's next school year. Such students may be required to attend summer school following the regular 2000-2001 school term as a condition of promotion to fifth or sixth grade and shall be given an assessment within forty-five days of the end of school year 2001-2002. Such students who do not meet the target level shall be required to attend summer school and be reassessed at the end of summer school. Such students who do not meet the target level at the end

of summer school following the regular 2001-2002 school term shall be retained, following the notification procedure and limitations described in subsection 4 of this section.

(3) Such reading improvement plan shall include, at a minimum, thirty hours of additional reading instruction or practice outside the regular school day during the fourth-grade year. The school district shall determine the method of reading instruction necessary to enforce this subsection. The school district may also require the student to attend summer school for reading instruction as a condition of promotion to fourth grade.

4. Each student for whom a reading improvement plan has been designed pursuant to subsection 3 of this section shall be given another reading assessment, to be administered within forty-five days of the end of such student's fourth-grade year. If such student is determined to be reading below third-grade level, the student shall be required to attend summer school to receive reading instruction. At the end of such summer school instruction, such student shall be given another reading assessment. If such student is determined to be reading below third-grade level, the district shall notify the student's parents or guardians, and the student shall not be promoted to fifth grade. No student shall be denied promotion more than once solely for inability to meet the reading standards set out in this section.

5. The process described in subsections 3 and 4 of this section shall be repeated as necessary through the end of the sixth grade, with the target grade level rising accordingly. Mandatory retention grade shall not apply to grades subsequent to fourth grade except as provided in subdivision (2) of subsection 3 of this section.

6. The mandatory process of additional reading instruction pursuant to this section shall cease at the end of the sixth grade or when a student reaches the target grade level for reading ability at any point before sixth grade.

7. Each school district shall be required to offer summer school reading instruction to any student with a reading improvement plan. Districts may fulfill the requirement of this section through cooperative arrangements with neighboring districts. If a district offers transportation to such students, the mileage shall be considered as approved mileage eligible for reimbursement pursuant to sections 163.161 and 167.231, RSMo.

8. A school district may adopt a policy that requires retention in grade of any student who has been determined to require summer school instruction in reading and who does not fulfill the summer school attendance requirement.

9. Nothing in this section shall preclude a school district from retaining any student in grade when a determination is made in accordance with district policy that retention is in the best interests of the student.

10. The state board of education shall not incorporate information about the number of students receiving additional instruction pursuant to this section into any element of any standard of the Missouri school improvement program or its successor assessment program.

11. Each school district shall make an effort to systematically inform parents of the methods and materials used to teach reading in grades kindergarten through 4 (four), in terms understandable to a lay person.”; and

Further amend the title to say “**relating to education**” instead of current title language “**relating to state school aid payments**”; and

Further amend the title and enacting clause accordingly.

Representative Relford moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Scheve moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Abel	Akin	Alter	Ballard	Barry 100
Bartle	Black	Blunt	Boatright	Bonner
Bray 84	Champion	Cierpiot	Enz	Evans
Ford	Fraser	Gibbons	Griesheimer	Hanaway
Hartzler 123	Hegeman	Hendrickson	Hilgemann	Hollingsworth
Hoppe	Kasten	Kennedy	King	Klindt
Lakin	Levin	Liese	Linton	Loudon
McClelland	Merideth	Myers	Reid	Relford
Rizzo	Robirds	Scheve	Secrest	Smith
Treadway	Tudor	Vogel	Wagner	Ward

NOES: 100

Auer	Backer	Barnett	Bennett	Berkowitz
Berkstresser	Boucher 48	Boykins	Britt	Brooks
Campbell	Chrismer	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Foster	Franklin
Froelker	Gambaro	Gaskill	George	Graham 106
Graham 24	Green	Gross	Gunn	Hagan-Harrell
Hampton	Harlan	Hartzler 124	Hickey	Hohulin
Holand	Hosmer	Howerton	Kelly 27	Kissell
Koller	Kreider	Lawson	Legan	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	May 108
Mays 50	McBride	McKenna	McLuckie	Miller
Murphy	Murray	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Parker	Patek	Phillips
Pouche 30	Pryor	Purgason	Ransdall	Reinhart
Reynolds	Richardson	Ridgeway	Riley	Ross
Sallee	Scott	Seigfreid	Selby	Shelton
Shields	Skaggs	Summers	Surface	Thompson
Townley	Troupe	Van Zandt	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

PRESENT: 001

Dolan

ABSENT WITH LEAVE: 010

Bartelsmeyer	Burton	Elliott	Gratz	Kelley 47
Monaco	Overschmidt	Schilling	Schwab	Stokan

VACANCIES: 002

On motion of Representative Kissell, **SB 573** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Enz	Evans
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47

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Kelly 27	Kennedy	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	May 108	Mays 50	McBride	McClelland
McKenna	McLuckie	Merideth	Miller	Murray
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Parker	Patek	Pouche 30
Pryor	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Riley	Rizzo
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Troupe	Tudor	Van Zandt
Vogel	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 010

Boatright	Hohulin	Holand	King	Linton
Loudon	Murphy	Phillips	Purgason	Scheve

PRESENT: 000

ABSENT WITH LEAVE: 006

Bartelsmeyer	Burton	Elliott	Monaco	Schilling
Stokan				

VACANCIES: 002

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 131

Abel	Alter	Auer	Backer	Barnett
Barry 100	Bartle	Bennett	Berkowitz	Blunt
Bonner	Boucher 48	Boykins	Britt	Brooks
Champion	Chrismer	Cierpiot	Clayton	Crawford
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Foster	Fraser
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hampton	Hanaway	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Howerton	Kasten
Kelley 47	Kelly 27	Kennedy	Kissell	Klindt
Koller	Kreider	Lakin	Lawson	Legan
Levin	Liese	Lograsso	Loudon	Luetkemeyer
Luetkenhaus	Marble	May 108	Mays 50	McBride
McClelland	McKenna	Merideth	Miller	Murray
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Pouche 30	Pryor
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Riley	Rizzo	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Selby
Shelton	Shields	Skaggs	Smith	Summers
Surface	Thompson	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 015

Akin	Ballard	Berkstresser	Black	Boatright
Froelker	Hohulin	Holand	King	Linton
Phillips	Purgason	Ridgeway	Scheve	Townley

PRESENT: 000

ABSENT WITH LEAVE: 015

Bartelsmeyer	Bray 84	Burton	Campbell	Elliott
Franklin	Hagan-Harrell	Long	McLuckie	Monaco
Murphy	Nordwald	Schilling	Seigfreid	Stokan

VACANCIES: 002

On motion of Representative Fraser, title to the bill was agreed to.

Representative Ford moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

HCS SB 851, relating to criminal activity forfeitures, was taken up by Representative Kreider.

HCS SB 851 was laid over.

THIRD READING OF SENATE CONCURRENT RESOLUTIONS

SCS SCR 41, relating to joint interim committee on revitalization of St. Louis, was taken up by Representative O'Toole.

Representative Evans offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Concurrent Resolution No. 41, Page 2, Line 8, by inserting after the word "**Representatives**" the following:

"except that no more than three members from each house shall be members of the same political party".

Representative Evans moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative O'Toole, **SCS SCR 41** was truly agreed to and finally passed by the following vote:

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AYES: 135

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Britt	Brooks
Campbell	Champion	Chrismer	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dougherty	Enz	Evans	Farnen
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Levin	Liese
Long	Loudon	Luetkenhaus	Marble	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Pouche 30	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Riley	Rizzo	Robirds	Ross	Schwab
Secrest	Seigfreid	Selby	Shelton	Skaggs
Smith	Summers	Surface	Thompson	Treadway
Tudor	Van Zandt	Vogel	Wagner	Ward
Williams 121	Williams 159	Wilson 25	Wilson 42	Mr. Speaker

NOES: 007

Dolan	Linton	Phillips	Purgason	Ridgeway
Townley	Troupe			

PRESENT: 000

ABSENT WITH LEAVE: 019

Bartelsmeyer	Bray 84	Burton	Elliott	Fitzwater
Holand	Legan	Lograsso	Luetkemeyer	McClelland
Pryor	Sallee	Scheve	Schilling	Scott
Shields	Stokan	Wiggins	Wright	

VACANCIES:002

Speaker Gaw declared the bill passed.

On motion of Representative Green, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative Harlan moved that motion lay on the table.

The latter motion prevailed.

SCR 22, relating to Bob Ward highway, was taken up by Representative Koller.

On motion of Representative Koller, **SCR 22** was truly agreed to and finally passed by the following vote:

AYES: 084

Auer	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Brooks	Campbell	Champion
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Foster	Fraser	Gambaro
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Liese	Lograsso	May 108	Mays 50
McBride	McKenna	McLuckie	Monaco	Murphy
Murray	Myers	O'Connor	O'Toole	Ostmann
Patek	Ransdall	Relford	Reynolds	Riley
Rizzo	Ross	Scheve	Seigfreid	Selby
Shelton	Skaggs	Smith	Thompson	Treadway
Troupe	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 040

Abel	Akin	Alter	Ballard	Bartle
Berkstresser	Boatright	Cierpiot	Enz	Gaskill
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kasten	Kelley 47	Klindt	Linton
Long	Marble	Merideth	Miller	Nordwald
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Richardson	Ridgeway	Robirds	Schwab
Secrest	Shields	Surface	Tudor	Vogel

PRESENT: 021

Barnett	Bennett	Black	Blunt	Chrismer
Dolan	Evans	Froelker	Griesheimer	Gross
Hanaway	Holand	King	Levin	Loudon
Luetkemeyer	Naeger	Parker	Summers	Townley
Wright				

ABSENT WITH LEAVE: 016

Bartelsmeyer	Bray 84	Britt	Burton	Elliott
Franklin	Harlan	Legan	Luetkenhaus	McClelland
Overschmidt	Sallee	Schilling	Scott	Stokan
Van Zandt				

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Riley, title to the bill was agreed to.

Representative Scheve moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HB 1238, as amended**, and has taken up and passed **CCS SCS HS HB 1238**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SS#2 SCS SBs 757 & 602, as amended**, and has taken up and passed **HS HCS SS#2 SCS SBs 757 & 602, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS SB 892** and has taken up and passed **HS SB 892**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA1 to SB 921** and has taken up and passed **SB 921, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HS HCS HB 1797** and has taken up and passed **SS HS HCS HB 1797, as amended by the CCR**.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Riback Wilson (25) has been appointed Chair of the Appropriations - Health and Mental Health Committee.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, May 18, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-first Day, Thursday, May 11, 2000, page 1888, line 5, by inserting after said line the following:

HS HCS SS SB 902, as amended, relating to gaming, was taken up by Representative Treadway.

Representative Treadway moved that the House refuse to recede from its position on **HS HCS SS SB 902, as amended**, and grant the Senate a conference.

Which motion was adopted.

Page 1722, line 32, by deleting the name “Auer” and inserting in lieu thereof the name “Farnen”.

Page 1880, line 15, by deleting all of said line.

Page 1897, lines 26 through 29, by deleting all of said lines.

Pages 1707 and 1708, roll call, by showing Representatives Boykins, Enz and Murray voting "aye" rather than "absent with leave".

Pages 1707 and 1708, roll call, by showing Representatives Berkstresser, Boatright and Dolan voting "no" rather than "absent with leave".

Pages 1709 and 1710, roll call, by showing Representatives Berkstresser, Champion, Dolan, Gambaro, Gross and Kennedy voting "aye" rather than "absent with leave".

Page 1710, roll call, by showing Representatives Boykins and Dolan voting "aye" rather than "absent with leave".

Pages 1710 and 1711, roll call, by showing Representatives Boykins, Dolan and Gross voting "aye" rather than "absent with leave".

Pages 1715 and 1716, roll call, by showing Representatives Hollingsworth and Robirds voting "aye" rather than "absent with leave".

Pages 1715 and 1716, roll call, by showing Representative Bennett voting "no" rather than "absent with leave".

Pages 1716 and 1717, roll call, by showing Representatives Hollingsworth and Liese voting "aye" rather than "absent with leave".

Pages 1716 and 1717, roll call, by showing Representative Bennett voting "no" rather than "absent with leave".

Page 1719, roll call, by showing Representatives Berkstresser and Shields voting "aye" rather than "absent with leave".

Page 1719, roll call, by showing Representative Merideth voting "no" rather than "absent with leave".

Pages 1720 and 1721, roll call, by showing Representative Kennedy voting "no" rather than "absent with leave".

Pages 1720 and 1721, roll call, by showing Representatives Klindt and Myers voting "aye" rather than "absent with leave".

Pages 1721 and 1722, roll call, by showing Representative Hollingsworth voting "no" rather than "absent with leave".

Pages 1721 and 1722, roll call, by showing Representatives Long, Myers and Surface voting "aye" rather than "absent with leave".

Page 1723, roll call, by showing Representative Gross voting "aye" rather than "no".

Page 1723, roll call, by showing Representative Myers voting "aye" rather than "absent with leave".

Page 1724, roll call, by showing Representatives Levin and Myers voting "no" rather than "absent with leave".

Pages 1724 and 1725, roll call, by showing Representatives Champion, McKenna and Patek voting "aye" rather than "absent with leave".

Pages 1724 and 1725, roll call, by showing Representative Myers voting "no" rather than "absent with leave".

Page 1726, roll call, by showing Representatives Champion, Kennedy, Luetkemeyer and Parker voting "aye" rather than "absent with leave".

Pages 1728 and 1729, roll call, by showing Representative Parker voting "no" rather than "absent with leave".

Pages 1730 and 1731, roll call, by showing Representative Ward voting "aye" rather than "absent with leave".

Pages 1730 and 1731, roll call, by showing Representative Patek voting "no" rather than "absent with leave".

Page 1731, roll call, by showing Representative Patek voting "aye" rather than "no".

Page 1731, roll call, by showing Representative Bennett voting "aye" rather than "absent with leave".

Pages 1746 and 1747, roll call, by showing Representatives Crawford and Hartzler (124) voting "aye" rather than "absent with leave".

Pages 1797 and 1798, roll call, by showing Representative King voting "aye" rather than "absent with leave".

Pages 1878 and 1879, roll call, by showing Representative Purgason voting "no" rather than "present".

Pages 1885 and 1886, roll call, by showing Representative Secrest voting "aye" rather than "absent with leave".

Pages 1886 and 1887, roll call, by showing Representatives Klindt, Long, Luetkemeyer and Secrest voting "aye" rather than "absent with leave".

Pages 1886 and 1887, roll call, by showing Representative Kelly (27) voting "no" rather than "absent with leave".

Pages 1889 and 1890, roll call, by showing Representatives Bartelsmeyer and Dolan voting "no" rather than "absent with leave".

Page 1894, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Page 1894, roll call, by showing Representative Ward voting "no" rather than "absent with leave".

Pages 1897 and 1898, roll call, by showing Representative Long voting "no" rather than "absent with leave".

Pages 1897 and 1898, roll call, by showing Representative Tudor voting "aye" rather than "absent with leave".

Pages 1898 and 1899, roll call, by showing Representatives Liese and Murray voting "no" rather than "absent with leave".

Pages 1900 and 1901, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Pages 1900 and 1901, roll call, by showing Representative Long voting "no" rather than "absent with leave".

Pages 1901 and 1902, roll call, by showing Representatives Kelley (47) and Long voting "aye" rather than "absent with leave".

Pages 1901 and 1902, roll call, by showing Representative Gibbons voting "no" rather than "absent with leave".

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SEVENTY-THIRD DAY, THURSDAY, MAY 18, 2000

Speaker Gaw in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCR 10, HCR 22, HB 1077, SS SCS HB 1082, HB 1085, SCS HB 1097, SCS HCS HB 1101, CCS HB 1102, CCS HB 1103, CCS HB 1104, CCS HB 1105, CCS HB 1106, CCS HB 1107, CCS HB 1108, CCS HB 1109, CCS #2 HB 1110, CCS HB 1111, CCS HB 1112, SCS HCS HB 1113, CCS HB 1120, SCS HB 1121, SCS HB 1122, CCS SCS HCS HB 1142, SCS HB 1185, HB 1186, CCS SCS HS HB 1238, HB 1284, HB 1289, HB 1321, HB 1353, HB 1363, HB 1376, HCS HBs 1386 & 1086, SCS HB 1396, HB 1428, HCS HB 1434, SS SCS HB 1452, SCS HB 1454, HB 1486, HB 1509, HB 1544, SCS HB 1568, SCS HB 1591, HB 1596, SCS HB 1604, SCS HB 1631, HB 1647, SCS HB 1659, SCS HS HCS HBs 1677, 1675 & 1676, SCS HB 1739, CCS SCS HS HCS HB 1742, SS HS HCS HB 1797, HB 1802, CCS SS SCS HB 1808, CCS SCS HB 1848, CCS SCS HB 1948** and **HCS HB 1967**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HCR 10, HCR 22, HB 1077, SS SCS HB 1082, HB 1085, SCS HB 1097, SCS HCS HB 1101, CCS HB 1102, CCS HB 1103, CCS HB 1104, CCS HB 1105, CCS HB 1106, CCS HB 1107, CCS HB 1108, CCS HB 1109, CCS #2 HB 1110, CCS HB 1111, CCS HB 1112, SCS HCS HB 1113, CCS HB 1120, SCS HB 1121, SCS HB 1122, CCS SCS HCS HB 1142, SCS HB 1185, HB 1186, CCS SCS HS HB 1238, HB 1284, HB 1289, HB 1321, HB 1353, HB 1363, HB 1376, HCS HBs 1386 & 1086, SCS HB 1396, HB 1428, HCS HB 1434, SS SCS HB 1452, SCS HB 1454, HB 1486, HB 1509, HB 1544, SCS HB 1568, SCS HB 1591, HB 1596, SCS HB 1604, SCS HB 1631, HB 1647, SCS HB 1659, SCS HS HCS**

HBs 1677, 1675 & 1676, SCS HB 1739, CCS SCS HS HCS HB 1742, SS HS HCS HB 1797, HB 1802, CCS SS SCS HB 1808, CCS SCS HB 1848, CCS SCS HB 1948 and HCS HB 1967 were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCR 10, HCR 22, HB 1077, SS SCS HB 1082, HB 1085, SCS HB 1097, SCS HCS HB 1101, CCS HB 1102, CCS HB 1103, CCS HB 1104, CCS HB 1105, CCS HB 1106, CCS HB 1107, CCS HB 1108, CCS HB 1109, CCS #2 HB 1110, CCS HB 1111, CCS HB 1112, SCS HCS HB 1113, CCS HB 1120, SCS HB 1121, SCS HB 1122, CCS SCS HCS HB 1142, SCS HB 1185, HB 1186, CCS SCS HS HB 1238, HB 1284, HB 1289, HB 1321, HB 1353, HB 1363, HB 1376, HCS HBs 1386 & 1086, SCS HB 1396, HB 1428, HCS HB 1434, SS SCS HB 1452, SCS HB 1454, HB 1486, HB 1509, HB 1544, SCS HB 1568, SCS HB 1591, HB 1596, SCS HB 1604, SCS HB 1631, HB 1647, SCS HB 1659, SCS HS HCS HBs 1677, 1675 & 1676, SCS HB 1739, CCS SCS HS HCS HB 1742, SS HS HCS HB 1797, HB 1802, CCS SS SCS HB 1808, CCS SCS HB 1848, CCS SCS HB 1948 and HCS HB 1967** were delivered to the Governor by the Chief Clerk of the House.

All other business of the House was suspended while **SJR 50, CCS HCS SS SS #3 SJR 35, SCS SB 540, HS HCS SCS SB 542, SCS SB 557, SB 573, HCS SS SCS SB 577, HCS SCS SB 719, HCS SCS SB 721, HS HCS SB 724, HS HCS SS #2 SCS SBs 757 & 602, CCS HCS SS SCS SB 763, CCS HS HCS SB 788, SB 810, HS SS SCS SBs 867 & 552, CCS HS HCS SB 881, SS SCS SB 885, HS SB 892, CCS HS HCS SS SB 902, SB 921, CCS #2 HCS SB 944, CCS HS SB 961, SRB 1001, SRB 1002 and CCS HS SB 1053** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

ADJOURNMENT

On motion of Speaker Gaw, the House adjourned until 11:00 a.m., Wednesday, May 24, 2000.

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SEVENTY-FOURTH DAY, WEDNESDAY, MAY 24, 2000

Speaker Gaw in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SCR 29, HS HCS SCR 37, SCR 38, HCS SB 741, CCS HS HCS SCS SB 894** and **CCS HS HCS SB 896** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

ADJOURNMENT

The Speaker declared the House of Representatives of the Ninetieth General Assembly, convened in Second Regular Session on January 5, 2000, adjourned sine die, pursuant to the Constitution.

STEVE GAW
Speaker of the House

ANNE C. WALKER
Chief Clerk of the House

JOURNAL OF THE HOUSE

VETO SESSION

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIRST DAY, WEDNESDAY, SEPTEMBER 13, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

God of Justice, God of Freedom, God of responsible Growth and Progress, Your presence is requested in this Chamber today. We desire Your influence to center these deliberations ----- that decisions may be made in grace, not selfishness; in altruism, not antagonism; in service, not dominance. As we hold these men and women up to You, we pray that they be accountable to their constituents, indeed, but also to their own consciences. At the end of these short but important days, may their spirits resound with that special kind of victory, the job well done, the moral fiber more sound, our state well-assisted.

We also ask a special blessing for Sandy Friley, the wife of our Reading Clerk, John, who is battling for her life against illness. Give her health, God. You are our God, a God of people on the move into more life, love, and happiness, a God truly holy and awesome, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Andrea Jean Baker.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 152

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin

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Liese	Linton	Loudon	Luetkemeyer	Luetkenhaus
Marble	Mays 50	McBride	McKenna	McLuckie
Merideth	Miller	Monaco	Murphy	Murray
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pouche 30
Pryor	Ransdall	Reid	Reinhart	Relford
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Stokan	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 002

Lograsso Reynolds

ABSENT WITH LEAVE: 007

Dolan	Holand	Long	May 108	McClelland
Naeger	Purgason			

VACANCIES: 002

RESOLUTIONS

Representative Crump offered House Resolution No. 1.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninetieth General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2000 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Crump, Rule 63 was suspended and House Resolution No. 1 was adopted by following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Chrismer
Cierpiot	Clayton	Crawford	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kelly 27	Kennedy
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Legan	Levin	Liese	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
Mays 50	McBride	McKenna	McLuckie	Merideth

Miller	Monaco	Murphy	Murray	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Parker	Patek	Phillips	Pryor
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Riley	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Skaggs	Smith	Stokan	Summers
Surface	Thompson	Townley	Treadway	Troupe
Tudor	Van Zandt	Vogel	Wagner	Ward
Wiggins	Williams 121	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Abel	Dolan	Holand	King	Linton
May 108	McClelland	Pouche 30	Purgason	

VACANCIES: 002

Representative Crump offered House Resolution No. 2.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that the Chief Clerk and the Accounts, Operations, and Finance Committee of the House be authorized to employ for the 2000 Constitutional Veto Session: a Sergeant-at-Arms, a Reading Clerk, five Doorkeepers, a Page, and other persons deemed necessary.

On motion of Representative Crump, Rule 63 was suspended and House Resolution No. 2 was adopted by the following vote:

AYES: 154

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Elliott	Enz	Evans	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gibbons
Graham 106	Graham 24	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Kennedy	King	Kissell	Klindt	Koller
Kreider	Lakin	Lawson	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkemeyer	Luetkenhaus	Marble	Mays 50	McBride
McKenna	McLuckie	Merideth	Miller	Monaco
Murray	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Parker	Patek
Phillips	Pouche 30	Pryor	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Riley	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith

Stokan	Summers	Surface	Thompson	Townley
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Dolan	Holand	May 108	McClelland	Murphy
Purgason	Sallee			

VACANCIES: 002

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

Senate Resolution No. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Section 32, Article III of the Constitution and is ready for the consideration of its business.

MESSAGES FROM THE GOVERNOR

**EXECUTIVE OFFICE
State of Missouri
Room 216
State Capitol
Jefferson City 65101**

June 28, 2000

TO SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for House Bill No. 1103** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2000 and ending June 30, 2001.

Section 3.090

I hereby veto \$50,000 general revenue for Crowder College to offer out-of-district classes at Mt. Vernon. This expansion of services was neither requested by the institution nor recommended by the Coordinating Board for Higher Education, and was not part of my budget recommendations. Such review is essential to ensure that state resources are allocated in the most cost-effective manner. This veto is necessary to ensure a balanced budget.

For selected out-of-district courses by \$50,000 from \$1,480,566 to \$1,430,566 general revenue.
From \$151,899,466 to \$151,849,466 in total for the section.

On June 28, 2000, I approved said **Conference Committee Substitute for House Bill No. 1103**, except for those items specifically vetoed and not approved.

Respectfully submitted

/s/ Mel Carnahan
Governor

June 28, 2000

TO SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for House Bill No. 1106** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvement projects involving the repair, replacement and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2000 and ending June 30, 2001.

Section 6.030

I hereby veto \$100,000 general revenue for the Food and Agricultural Policy Research Institute (FAPRI) at the University of Missouri - Columbia. There is no evidence that additional money will generate measurable results. FAPRI will receive substantial new funds from the federal government for their activities during Fiscal Year 2001. This veto is necessary to ensure a balanced budget.

For the purpose of funding research and related activities of the Food and Agriculture Policy Research Institute (FAPRI) by \$100,000 from \$400,000 to \$300,000 from General Revenue Fund.
From \$400,000 to \$300,000 in total for the section.

On June 28, 2000, I approved said **Conference Committee Substitute for House Bill No. 1106**, except for those items specifically vetoed and not approved.

Respectfully submitted

/s/ Mel Carnahan
Governor

June 28, 2000

TO SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for House Bill No. 1109** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

Section 9.105

I hereby veto \$370,000 general revenue for special sensitivity training or POST training. The Department of Corrections receives over \$1.9 million in general revenue funding for training. Corrections officers are not required to have the specific law enforcement training that this additional funding would provide. This veto is necessary to ensure a balanced budget.

Expense and Equipment by \$370,000 from \$2,276,575 to \$1,906,575 from General Revenue Fund.
From \$2,276,575 to \$1,906,575 in total for the section.

Section 9.520

I hereby veto \$500,000 general revenue for case management grants. Case Management Programs are currently in effect through community sentencing programs and local sentencing initiatives. Funding of \$250,000 was approved for this purpose in Fiscal Year 2000. These grants should be evaluated for performance prior to expanding funding. This veto is necessary to ensure a balanced budget.

Expense and Equipment by \$500,000 from \$743,750 to \$243,750 from General Revenue Fund.
From \$743,750 to \$243,750 in total for the section.

On June 28, 2000, I approved said **Conference Committee Substitute for House Bill No. 1109**, except for those items specifically vetoed and not approved.

Respectfully submitted

/s/ Mel Carnahan
Governor

June 28, 2000

TO SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute No. 2 for House Bill No. 1110** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health, and the several divisions and programs thereof and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

Section 10.760

I hereby veto \$370,000 donated funds for the diet pill education program. The appropriation is being reduced to reflect an anticipated spending level consistent with the legislative fiscal note projection.

For a diet pill education program by \$370,000 from \$500,000 to \$130,000 from Department of Health Donated Funds. From \$12,158,463 to \$11,788,463 in total for the section.

On June 28, 2000, I approved said **Conference Committee Substitute No. 2 for House Bill No. 1110**, except for those items specifically vetoed and not approved.

Respectfully submitted

/s/ Mel Carnahan
Governor

June 28, 2000

TO SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for House Bill No. 1111** entitled:

"AN ACT"

To appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

Section 11.010

I hereby veto \$200,000 general revenue that will be provided to the Department of Economic Development for a St. Louis Cyber Community Center. This veto is necessary to ensure a balanced budget.

For the purpose of funding data processing expenses associated with Automated Intake Expense and Equipment by \$200,000 from \$650,000 to \$450,000.
From \$650,000 to \$450,000 from General Revenue Fund.
From \$26,196,095 to \$25,996,095 in total for the section.

Section 11.055

I hereby veto \$42,288 general revenue for an additional employee at Prince Hall that is unnecessary. This veto is necessary to ensure a balanced budget.

Personal Services by \$42,288 from \$2,213,261 to \$2,170,973 from General Revenue Fund.
From \$3,181,639 to \$3,139,351 in total from General Revenue Fund.
From \$8,059,183 to \$8,016,895 in total for the section.

Section 11.300

I hereby veto \$100,000 general revenue for three staff to expand the Scared Straight program currently operating at the Jefferson City Correctional Center. Money for this program currently exists in the Department of Correction's budget. This veto is necessary to ensure a balanced budget.

For the purpose of funding the operations of scared straight type programs including, but not limited to, the youth services group program operating at the Jefferson City Correctional Center
Personal Service by \$100,000 from \$100,000 to \$0 from General Revenue Fund.

From \$3,235,102 to \$3,135,102 in total for the section.

Section 11.400

I hereby veto \$50,000 general revenue for grants to welfare boards. There are currently monies available through the Department of Economic Development for these purposes. Therefore, these funds would be a duplication of effort. This veto is necessary to ensure a balanced budget.

Also, I hereby veto \$30,000, including \$15,000 general revenue to expand the pager pilot program. In Fiscal Year 2000, \$60,000 was appropriated for this program which has not been fully expended. As a result, those funds have been reappropriated for Fiscal Year 2001. Therefore, it is premature to expand this pilot program at this time. This veto is necessary to ensure a balanced budget.

In addition, I hereby veto the words "Provided that additions of drugs to the prior authorization list shall be subject to approval by the Joint Committee on Administrative Rules". The inclusion of legislation of a general character within an appropriation bill is prohibited by the Missouri Constitution in Article III, Section 23. This is an attempt to hinder the Division of Medical Services' ability to manage and utilize the state's resources efficiently. This action will only heighten the escalating costs of pharmacy services in the Medicaid program. Many private health care organizations utilize prior authorization as a tool to control their costs as well as ensuring the appropriate utilization of prescriptions. In addition, I hereby veto \$20, including \$10 general revenue related to implementing the approval of all drugs on the prior authorization list by the Joint Committee on Administrative Rules. This veto is necessary to ensure a balanced budget.

Expense and Equipment by \$65,010 from \$602,911 to \$537,901 from General Revenue Fund.

From \$4,145,108 to \$4,080,098 in total from General Revenue Fund.

Expense and Equipment by \$15,010 from \$2,516,251 to \$2,501,241 from Federal Funds.

From \$7,371,169 to \$7,356,159 in total from Federal Funds.

From \$13,570,596 to \$13,490,576 in total for this section.

Section 11.420

I hereby veto \$250,000 including \$100,000 general revenue for funding a pilot project related to professional pharmacy services. There has been no documentation provided to demonstrate the efficiencies or cost savings that could be achieved in the Medicaid pharmacy program as a result of this pilot project. This veto is necessary to ensure a balanced budget.

For the purpose of funding pharmaceutical payments under the Medicaid fee-for-service and managed care programs and for the purpose of funding professional fees for pharmacists

From \$197,473,871 to \$197,373,871 in total from General Revenue Fund.

From \$374,171,174 to \$374,021,174 in total from Federal Funds.

From \$613,436,630 to \$613,186,630 in total for the section.

Section 11.435

I hereby veto \$500,000 general revenue to purchase dental equipment. The state should continue to focus its limited resources on increasing the overall reimbursement structure to dentists that provide services to Medicaid recipients rather than funding additional untested pilot programs. In addition, the Division of Medical Services is unable to obtain federal matching funds for this pilot program. Finally, in Fiscal Year 2000, \$500,000 was appropriated for a dental pilot project; however, the contractor did not utilize these funds and as a result those funds have been reappropriated for Fiscal Year 2001. This veto is necessary to ensure a balanced budget.

For the purpose of funding dental services under the Medicaid fee-for-service and managed care programs

From \$5,617,096 to \$5,117,096 in total from General Revenue Fund.

From \$13,676,183 to \$13,176,183 in total for the section.

Section 11.446

I hereby veto \$100,000, including \$50,000 general revenue for funding telephone assurance pilot projects. The pilot program was funded in Fiscal Year 1999; however, to date has only served five individuals. Some Area Agencies on Aging are providing this service and therefore this funding is duplicative in nature. This veto is necessary to ensure a balanced budget.

Said section is vetoed in its entirety from \$50,000 to \$0 from General Revenue Fund.

From \$50,000 to \$0 from Federal Funds.

From \$100,000 to \$0 in total for the section.

On June 28, 2000, I approved said **Conference Committee Substitute for House Bill No. 1111**, except for those items specifically vetoed and not approved.

Respectfully submitted

/s/ Mel Carnahan
Governor

June 28, 2000

TO SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for House Bill No. 1120** entitled:

"AN ACT"

To appropriate money for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions.

Section 20.010

I hereby veto \$75,000 general revenue for planning for a south campus at Mineral Area College. This project was not recommended by the Coordinating Board for Higher Education, nor was it part of my budget recommendations. Such review is essential to ensure state resources are allocated in the most cost-effective manner. The project may be worthy but cannot be reviewed because it has not yet been properly defined in terms of scope of work, timing of construction, or cost. This veto is necessary to ensure a balanced budget.

For planning, design, construction, renovation, and improvements for community colleges by \$75,000 from \$75,000 to \$0 from General Revenue Fund.

From \$5,924,819 to \$5,849,819 in total for the section.

Section 20.081

I hereby veto \$265,405 general revenue for road and bridge improvements for an access road north of the Vandalia Correctional Center. The road in question is not part of the state highway system, so needed improvements should be addressed by the local government. The state provides significant funding to cities and counties for road and bridge construction and maintenance projects through the constitutionally mandated distribution of motor fuel taxes. This veto is necessary to ensure a balanced budget.

Said section is vetoed in its entirety from \$265,405 to \$0 in total from General Revenue Fund.

From \$265,405 to \$0 in total for the section.

On June 28, 2000, I approved said **Conference Committee Substitute for House Bill No. 1120**, except for those items specifically vetoed and not approved.

Respectfully submitted

/s/ Mel Carnahan
Governor

July 13, 2000

TO SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 1396** entitled:

"AN ACT"

To repeal sections 172.360, 174.620 and 175.021, RSMo 1994, and sections 172.020, 172.037, 174.610 and 175.020, RSMo Supp. 1999, relating to public schools, and to enact in lieu thereof fifteen new sections relating to the same subject.

I disapprove of Senate Committee Substitute for House Bill No. 1396. My reasons for disapproval are as follows:

The bill appears to repeal the law that creates the University of Missouri, its governing body, the Curators, and the powers invested in the Curators.

Specifically, the bill repeals section 172.020, RSMo. This section in part states the following:

“The university is hereby incorporated and created a body politic and shall be known by the name of “The Curators of the University of Missouri”, and by that name shall have perpetual succession, power to sue and be sued, complain and defend in all courts; to make and use a common seal, and to alter the same at pleasure; to take, purchase and to sell, convey and otherwise dispose of lands and chattels.....”

Because of the potential detrimental effect such a repeal would have on the governance of the university, I object and veto the above titled bill. I encourage the General Assembly to correct this technical error and pass this same legislation next session.

For all of the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Bill No. 1396** without my approval.

Respectfully submitted

/s/ Mel Carnahan
Governor

July 13, 2000

TO SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Bill No. 1596** entitled:

"AN ACT"

To amend chapter 375, RSMo, relating to insurance companies by adding thereto one new section relating to the same subject.

I disapprove of House Bill No. 1596. My reasons for disapproval are as follows:

It conflicts with provisions of Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill 896, hereinafter referred to as SB 896, which was also approved by the General Assembly during the 2000 session. The language in SB 896 makes it clear that entities in which an insurer may invest must be regulated by only one of three regulatory bodies, whereas House Bill No. 1596 may be interpreted to require the same entities to be regulated by all three regulatory bodies.

For all of the above stated reasons for disapproval, I am returning **House Bill No. 1596** without my approval.

Respectfully submitted

/s/ Mel Carnahan
Governor

**HOUSE BILLS VETOED FROM THE
SECOND REGULAR SESSION**

Speaker Gaw read the following House Bills vetoed from the Second Regular Session: **CCS HB 1103, CCS HB 1106, CCS HB 1109, CCS #2 HB 1110, CCS HB 1111, CCS HB 1120, SCS HB 1396 and HB 1596.**

RESOLUTION

Representative Crump offered House Resolution No. 3.

HOUSE RESOLUTION NO. 3

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **CCS HB 1103, CCS HB 1106, CCS HB 1109, CCS #2 HB 1110, CCS HB 1111, CCS HB 1120, SCS HB 1396 and HB 1596** when the bills were called by the Speaker.

On motion of Representative Crump, Rule 63 was suspended and House Resolution No. 3 was adopted by the following vote:

AYES: 151

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Berkstresser	Black	Blunt
Boatright	Bonner	Boucher 48	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Davis 63	Days	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Froelker

Gambaro	Gaskill	George	Gibbons	Graham 106
Graham 24	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hampton	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Hoppe	Hosmer	Howerton
Kasten	Kelley 47	Kelly 27	Kennedy	King
Kissell	Klindt	Koller	Kreider	Lakin
Lawson	Legan	Levin	Liese	Linton
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
Mays 50	McBride	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Ransdall	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Riley	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Stokan	Summers	Surface
Thompson	Townley	Treadway	Troupe	Tudor
Van Zandt	Vogel	Wagner	Ward	Wiggins
Williams 121	Williams 159	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Dolan	Dougherty	Hanaway	Holand	Lograsso
May 108	McClelland	Murphy	Purgason	Reid

VACANCIES: 002

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 10**.

Senate Resolution No. 10

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Section 32, Article III of the Constitution, made no motion to override the Governor's vetoes of House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 867 & 552; House Substitute for Senate Bill No. 892 and Senate Bill No. 921 when the bills were so called by the President.

ADJOURNMENT

On motion of Representative Backer, the Veto Session of the Ninetieth General Assembly, Second Regular Session, was adjourned sine die pursuant to the Constitution.